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IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Third periodic reports submitted by States parties under articles 16 and 17 of the Covenant in accordance with the programmes established by Economic and Social Council resolution 1988/4

Addendum

MEXICO */ **/

[18 July 1997]

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*/ The second periodic report concerning rights covered by articles 1 to 15 (E/1990/6/Add.4) submitted by the Government of Mexico was considered by the Committee on Economic, Social and Cultural Rights at its ninth session (see E/C.12/1993/SR.32-35 and 49).

The annexes referred to in the present report are available for consultation in the Secretariat.

**/ The information submitted by the Government of Mexico in accordance with the guidelines concerning the initial part of reports of States parties is contained in the core document (HRI/CORE/1/Add.12/Rev.1).

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Introduction

1. In fulfilment of its obligations as a State party to the International Covenant on Economic, Social and Cultural Rights, Mexico submits its third periodic report under articles 16 and 17 of the Covenant.

2. Article 133 of the Constitution of the United Mexican States provides that international treaties signed by the President of the Republic and approved by the Senate, together with the Constitution itself and the laws enacted by the Federal Congress, shall constitute the supreme law of the entire nation, and the International Covenant on Economic, Social and Cultural Rights therefore forms part of the national legislation and may serve as the basis of any legal action.

3. In accordance with the principles established in its Constitution, the Mexican State shares the responsibility and concern of the international community to protect and monitor the full exercise of human rights and fundamental freedoms, and to this end it has signed and ratified various global and regional legal instruments dealing with this matter.

4. When acceding to the International Covenant on Economic, Social and Cultural Rights, Mexico reaffirmed that the rights recognised in the Covenant were in force in Mexico, thus contributing to the extension of their universal validity and undertaking a firm commitment to that end with the community of nations.

5. Mexico's dedication to liberty is the foundation of the defence, protection and promotion of the human rights of Mexicans in Mexico and abroad. In Mexico, the protection of human rights is not a concession to society but the primary obligation of the Government towards its people.

6. Mexico recognises the need for strict compliance with the requirements of a State governed by law and for unimpeded respect for the human rights established in its Constitution. The chapter on individual guarantees and social rights in Mexico's Magna Carta is consistent with Mexican constitutionalism and with the most up-to-date concepts of international law.

7. The present report describes in detail the measures taken by the Mexican Government to achieve the full and effective exercise of economic, social and cultural rights in the period 1992-1996.

Article 1

8. The information concerning article 1 of the Covenant contained in the second periodic report of the Government of Mexico remains valid, as does the relevant information contained in the reports which it has submitted to the Commission on Human Rights.

Article 2

Progress achieved with respect to the objective of full and effective enjoyment of the rights recognized in the Covenant

9. The Mexican Government recognises the magnitude of Mexico's economic, social and cultural shortcomings and understands that the vicious circle of poverty will not be broken unless it implements many different measures for the benefit of the poorer social groups: reduction of the high fertility rates; provision of adequate education and training; action to combat malnutrition, morbidity and mortality due to infectious and parasitic diseases; provision of opportunities for productive employment; and improvement of living conditions through provision of cultural, sports and recreational services.

10. Under the current administration the education effort has concentrated on basic education by strengthening the programmes to combat the educational backwardness of the country's poorest communities. For example, enrolment in the school system in 1995 saw an increase of approximately 594,600, so that by the end of that year there were 26,946,700 students enrolled at all levels, 83.8 per cent of them in basic education.

11. The decentralisation to the states of the services of the Ministry of Health has provided a response to the need to base the health system more on functions than on social groups. This process was begun in early 1995 and completed in the first half of the present Government's term of office; the Ministry will now turn its attention to guidance and standard-setting functions with respect to national health policies.

12. The amendments to the Act governing the Mexican Social Security Institute (IMSS), which will enter into force on 1 July 1997, will lay the foundations for the Institute's financial viability, as well as expanding and improving the medical and social security services which it provides. In addition, IMSS has extended by six months the period of medical care available to unemployed workers at its labour centres, as a clear indication of support for this social sector of the population.

13. The outstanding development in housing has been the implementation of a special programme to ease the financial burden on persons taking out mortgages resulting from increases in interest rates, and to provide resources to complete housing currently under construction and reactivate the construction of new housing, especially social housing.

14. The need to coordinate the efforts of all public institutions with respect to nutrition and to agree new forms of coordination and collaboration with the state and municipal Governments led to the introduction of the family food and nutrition programmes and measures for children; the aim is to unify positions on the priorities with respect to nutrition and food care aimed mainly at children under five, children of school age, pregnant and breastfeeding women, and the municipalities exhibiting the country's highest levels of malnutrition and poverty.

Efforts to guarantee observance of the right to an absolute minimum standard of living for everyone in the light of the availability of resources

15. In 1995 there was a significant decline in the economic growth rate and in the absorption of manpower in Mexico. GDP fell by almost 7 per cent, something which had not happened for nearly 50 years. In addition, 22,186 enterprises ceased to contribute to IMSS, the currency was devalued by 44 per cent in the course of 1995, and inflation escalated to a rate of about 52 per cent for 1995 as a whole.

16. Unemployment and the working conditions of the employed also continued to deteriorate at a faster rate during the difficult year of 1995. In August 1995 the rate of open urban unemployment was 7.6 per cent, the highest level reported by urban employment surveys since 1983. In the light of these indicators, the social development policy of the Government of the Republic was concentrated on maintaining the people's living standards and easing the impact of the crisis on society's poorer groups by providing increased education, health, nutrition, food and training services for workers, and gradually but firmly promoting the decentralisation of functions and resources to the states and municipalities.

17. The final results of the 1995 population and housing census carried out by the National Statistics, Geography and Information Technology Institute (INEGI) showed the following percentage distribution of total income among households nation-wide, including income from work and pensions, investment income and bank interest, help from family members living abroad, help from the rural areas support programme (PROCAMPO), and grants and assistance from other institutions:

No income	6.16
Less than one minimum wage	12.66
One to two minimum wages	19.76
Two to five minimum wages	32.84
More than five minimum wages	25.97
Unspecified	2.61

18. These statistics also describe the various subsidies paid to the economically more disadvantaged members of the population, as part of the Government's effort to provide all Mexicans with an absolute minimum standard of living. The percentage distribution of the availability and type of subsidy for the whole country is as follows:

No subsidies	79.57
At least one subsidy	20.16
- free milk	54.62
- free tortilla	26.96
- other subsidies1/	37.11

1/ The "other subsidies" include student grants, school lunches and vocational training grants; the total of the percentages for types of subsidy may be greater than 100 per cent owing to the fact that some households receive more than one subsidy.

19. The Government of President Ernesto Zedillo has taken a number of actions to restore the country's economic growth, which should be reflected in the family and personal incomes of the population. The National Development Plan 1995-2000 stipulates the need to promote the kind of social development which provides the whole country with opportunities for personal and community improvement in accordance with the principles of equity and justice, giving priority to the groups, communities and geographical areas suffering the most serious economic and social disadvantages.

20. The strategy for overcoming poverty and marginalization has two basic focuses: social participation; and coordination between the Federal Government and the states and municipalities in accordance with a global concept linking measures to combat deficits in basic services with promotion of productive projects and the construction of regional infrastructure. The aim is to create the conditions for bringing the benefits of education, health, nutrition, housing, urban services, basic infrastructure and environmental conservation to the most needy groups in order to improve their living conditions, taking advantage of the existing social and civic arrangements. Where production is concerned, the aim is to develop the productive potential of individuals and regions in order to break the vicious circle of poverty and inequality.

Legislative and administrative measures adopted between 1992 and 1996 in order to guarantee exercise of the rights recognized in the Covenant

21. The National Development Plan 1995-2000 is very clear in establishing objectives, strategies and lines of action for the exercise of the rights recognized in the Covenant.

Education

22. The following legislative and administrative measures were adopted between 1992 and 1996.

23. On 28 January 1992 articles 3 and 130 of the Constitution were amended as part of the establishment of the new relationship between Church and State. On 15 July 1992, on the basis of this reform, the Government promulgated the Religious Associations and Public Worship Act, article 9, section V, of which states that religious associations are entitled to participate individually or together with other physical or moral persons in the constitution, administration, maintenance and operation of educational institutions, provided that they do not seek profit and comply with the relevant legislation.

24. The national agreement for the modernization of basic education was published on 18 May 1992. This document addressed the reorganization of the national education system, the reformulation of curricula and teaching materials, and the upgrading of the status of the teaching profession, as well as providing for the transfer of the management of schools at the preschool, primary, secondary and teacher-training levels, with all their infrastructure, from the Ministry of Public Education (SEP) to the local governments. In order to give concrete effect to these measures, further agreements were concluded, on the basis of the national agreement, between the Federal Government and the government of every federal state.

25. On 5 March 1993 article 3 of the Constitution was again amended to establish the obligation of the State to provide preschool, primary and secondary education and to promote all kinds of education, including higher education, necessary for the country's development, and the obligation to support scientific and technological research and encourage the development and dissemination of Mexico's culture. This reform also made primary and secondary education compulsory and established that private individuals could provide all types and modalities of education. However, in the case of primary and secondary education and teacher training, private individuals must obtain the prior express authorization of the State. In other areas of education private individuals may obtain official certification of the education provided. Article 31 of the Constitution was amended consequentially to establish the obligation of citizens to ensure that their children or wards aged under 15 years attend a public or private school for primary and secondary education.

26. On 13 July 1993 the Diario Oficial de la Federación published the General Education Act, which revoked the Federal Education Act of 29 November 1973. This new Act regulates the education provided by the State (Federal Government, federal states, and municipalities) through official institutions and private institutions having authorization or official certification. It also stipulates the obligation of the State to provide educational services to ensure that the whole population can receive preschool, primary and secondary education, and to encourage the increased participation of private individuals in the funding of education. It is important to point out that this Act makes available to private individuals providing education on the basis of authorization or official certification with an administrative recourse with respect to review of the decisions of the education authorities. Pursuant to this legislation, 17 federal states have so far enacted new laws on education incorporating the innovations contained in the Federal Constitution and the General Education Act.

Culture

27. The following legislative and administrative measures were adopted between 1992 and 1996.

28. On 3 September 1993 the Diario Oficial de la Federación published the agreement establishing the national system of creative workers, which has the following main objectives: to promote creative activities in the arts as part of human training; to promote and establish machinery for the provision of grants, awards, honours and other incentives for creative workers; and to provide better conditions for creative work.

29. On 4 October 1993 an interdepartmental commission was created to protect, supervise and safeguard intellectual property rights, with a view to coordinating the activities of the various agencies of the Federal Administration and thus secure the comprehensive and proper application of the Federal Copyright Act and the Promotion and Protection of Industrial Property Act. This commission is composed of representatives of the Ministries of the Interior, Finance and Public Credit, Trade and Industrial Promotion, and Public Education, and of the Office of the Attorney General of the Republic and the Office of the Public Prosecutor of the Federal District.

30. On 20 December 1993 the Diario Oficial de la Federación published the North American Free Trade Agreement concluded by Mexico, Canada and the United States of America. As a result of the signature of this instrument, on 22 December 1993 the Act giving effect to article 5 of the Constitution, concerning the exercise of professions in the Federal District, was amended to allow foreigners to exercise in the Federal District the professions covered by the Act, subject to the international treaties to which Mexico is a party or, if no relevant treaty exists, to the reciprocity and other requirements provided for in Mexican law.

31. On 28 July 1994 the Sports Promotion Act of 27 December 1990 was amended to extend to all citizens opportunities for engaging in sports as part of their comprehensive training, with emphasis on the importance to society of the physical education of its members.

32. On 24 December 1996 the Diario Oficial de la Federación published the Federal Copyright Act, which revoked the Federal Copyright Act of 29 December 1956. This new legislation seeks to promote the production and efficient diffusion of culture and brings up to date the legal framework of copyright and related rights, as well as clarifying the regulation of these matters.

Health

33. Here the outstanding development is the reform of the National Health Service, the main purpose of which is to extend the cover of the health services and strengthen federalism, in order to fulfil the commitments undertaken with respect to health and to respond more effectively to the challenges of demographic and epidemiological developments by means of five basic measures:

(a) To enhance the equity, efficiency and quality of the health services;

(b) To correct shortcomings and tackle emerging health problems;

(c) To lay the foundations for the creation of a health system based on functions rather than on social groups;

(d) To improve the use of resources allocated to health; and

(e) To guarantee, by means of local and regional measures, a minimum package of services offering the whole population access to basic care.

34. This reform of the National Health Service implied the total decentralisation of the Ministry of Health, a move carried out in 1996. The aim of the new federalism advocated by the Government is to strengthen the state health systems, narrow the gaps in health care between regions and states, and encourage greater social participation in self-care. Accordingly, the strategy for the decentralization of the Ministry of Health has two complementary components: operational resources, and substantive activities.

35. The National Health Council was created in order to support the reform and the decentralization of services; its main focuses are extension of the cover and improvement of the quality of the people's health services, consolidation of

the linkages between health areas and municipalities, provision of additional human, financial and material resources, and expansion of the physical infrastructure.

Social security

36. In the light of an objective and true diagnosis which revealed the weaknesses of the Mexican Social Security Institute (IMSS), radical changes had to be made in its structures. This diagnosis provided the basis for the proposal for social security reform, which led to the new Social Security Act adopted in December 1996 by the Congress of the Union. This Act, which entered into force on 1 July 1997, reaffirms the responsibility of the State to provide social security, extend and improve the cover of the services, guarantee decent pensions for workers, and encourage domestic savings.

Indigenous peoples

37. Following the entry into force in September 1991 of ILO Convention 169 concerning Indigenous and Tribal Peoples in Independent Countries, a number of changes were made in national legislation, introducing provisions applicable specifically to Mexico's indigenous population.

38. There have been two important amendments to the Constitution: one to article 27, published in the Diario Oficial de la Federación on 6 January 1992, announcing that the land of indigenous groups will be protected; and the addition of a paragraph 1 to article 4, published on 28 January 1992, recognising the multi-cultural character of the Mexican nation.

39. This federal legislation has provided the basis for a number of state reforms. For example, 14 of the 31 federal states have included in their constitutions the principles enunciated in the first paragraph of article 4 of the Constitution, which provides for specific treatment of the federal states in the light of their individual characteristics.

40. Where education is concerned, the General Education Act and the internal regulations of the Ministry of Public Education, published on 26 March 1994 in the Diario Oficial de la Federación, state the topics which must be included in curricula in order to encourage respect for indigenous languages and cultures and help to improve education standards in regions with indigenous populations.

41. Where administrative matters are concerned, the Ministry of Social Development, which was created by a decree published in the Diario Oficial de la Federación on 25 May 1992, was assigned, among other functions, the function of producing, coordinating and implementing special programmes for the most vulnerable social groups, particularly indigenous groups.

Legislative and administrative measures and policies to prevent discrimination of any kind in the effective exercise of the rights contained in the Covenant

42. Guarantees of equality are provided in article 1 of the Constitution of the United Mexican States:

"Every person in the United Mexican States shall enjoy the guarantees provided by this Constitution, which shall not be restricted or suspended, except in such cases and under such conditions as are herein provided."

43. Article 4, paragraph 2, of the Constitution states with regard to gender equality:

"Men and women are equal before the law. The law shall protect the organization and development of the family. Everyone shall be entitled to decide the number and spacing of his or her children in a free, responsible and informed manner."

44. Freedom of belief is recognized in article 24 of the Constitution:

"Everyone is free to embrace the religion of his choice and to practice all ceremonies, devotions, or observances of his respective faith, provided they do not constitute an offence punishable by law."

45. All the guarantees mentioned above have been contained in the Constitution since 1917; however, the only provision of the Constitution referring to indigenous peoples is the addition introduced in the first paragraph of article 4 in 1992:

"The Mexican nation has a multi-cultural composition based originally on its indigenous peoples, and the law shall protect and promote the development of their languages, cultures, habits, customs, resources and specific forms of social organization, and shall guarantee their members effective access to the jurisdiction of the State. In legal cases and proceedings of an agrarian nature to which they are party, their legal practices and customs shall be taken into account as provided for by the law."

Restrictions on the economic, social and cultural rights of foreigners

46. Pursuant to the General Population Act, foreigners who enter or remain in Mexico with immigrant or non-immigrant status may engage only in the activities specifically authorized in their entry permits. Foreigners living in Mexico with the status of non-immigrant may in general terms pursue any lawful activity.

47. In addition, pursuant to article 66 of the General Population Act, all foreigners, except those entering the country in transit to another country, may acquire securities with fixed or variable yields and make bank deposits, and acquire urban real estate with full legal title, subject only to the restrictions set out in article 33 of the Constitution of the United Mexican States and the legislation giving effect thereto.

48. On 8 November 1996 the Diario Oficial de la Federación published a decree amending, expanding and revoking certain provisions of the General Population Act, including the amendment of articles 42 and 48 to facilitate family reunification and authorize dependants of foreigners to engage in money-making

activities in specified cases, thus extending the scope of the human rights of foreigners in Mexico.

Article 3

Information on the practical situation of women with respect to the enjoyment of all the rights set forth in the Covenant

49. In view of women's functions in the family, social and production areas, the Government has given special emphasis to enhancement of their status; they have a strategic role to play in the promotion of social and economic development, the advance of democracy, and the transmission of cultural values.

50. Attention must be drawn to the health and social security measures adopted by IMSS for the benefit of women, which also focus on the educational component of training for work. The activities carried out under the new approach of retargeting the IMSS social benefits (creation of a pro-health culture, contribution to social welfare, and improvement of living standards) are described in annex I.

51. Additional information on the situation of women with respect to the enjoyment of all the rights set forth in the Covenant will be found in the third and fourth consolidated reports of the Government of Mexico concerning the Convention on the Elimination of All Forms of Discrimination against Women, submitted last March, which describe in detail the current governmental programmes and measures to improve the situation of Mexican women and secure their equal participation in the country's economic and social development in accordance with the National Development Plan 1995-2000.

Article 4

Information on any limitations imposed and the extent to which the requirements of this article have been satisfied

52. The Government does not impose any limitations on the enjoyment of the rights set forth in the Covenant, except as stated in the reservation entered at the time of Mexico's accession to this international instrument in relation to article 8, which is applied in the Mexican Republic in accordance with the modalities and procedures provided for in the applicable provisions of the Constitution of the United Mexican States and of the legislation giving effect thereto, with respect to the right of association, trade-union freedom, and the right to strike.

Article 5

Indicate whether any article of the Covenant may give rise in practice to misinterpretation of the Covenant or to a conflict with national legislation

53. As part of its effort to strengthen its institutions the Mexican State has always worked for the welfare of its population and the protection of fundamental human rights: since the promulgation of the Constitution in 1917 these rights have been regulated under the heading of individual guarantees.

54. These guarantees may be invoked by any citizen who considers that they have been infringed. In addition, since Mexico is a State governed by the rule of law, it has been able to ratify international human rights instruments such as the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights, amongst others, in accordance with the legal basis provided by article 133 of the Constitution of the United Mexican States:

> "This Constitution, the laws of the Congress of the Union which emanate therefrom, and all treaties made, or which shall be made in accordance therewith by the President of the Republic, with the approval of the Senate, shall be the Supreme Law throughout the Union. The judges of every State shall be bound to the said Constitution, the laws and treaties, notwithstanding any contradictory provisions that may appear in the Constitution or laws of the States."

Article 6

The situation, level and trends of employment, unemployment and underemployment, in respect of both the aggregate and particular categories of workers such as women, young persons, older workers and disabled workers; groups, regions or areas considered particularly vulnerable

55. The impact of the economic and financial crisis on employment and the decline in the real wages of workers in 1995 have no precedent in Mexico's recent history.

56. The economic emergency, expressed in a sizeable drop in gross fixed investment and the shutdown of sources of employment, made it necessary to introduce special social development programmes for the creation of temporary jobs as a means of reactivating productive activities in the most backward rural and urban areas suffering the greatest difficulties.

57. In addition, the Federal Government strengthened the regular programmes of job protection, manpower training, and protection of workers' incomes, in order to maintain the production apparatus and promote the necessary structural changes for the economy to recover its growth capacity and increase its productivity and competitiveness in relation to the rest of the world.

58. The evolution of employment reflected the economic slow-down. In contrast, the jobs generated by the export assembly industry maintained a positive trend, achieving an increase in the number of enterprises as a result of the more extensive presentation of its products in the international and domestic markets. In the period January-December 1995, according to information from the National Statistics, Geography and Information Technology Institute, this branch of industry recorded an increase of 56,935 jobs, up 9.8 per cent over the same period in 1996.

59. The most widely used indicator of employment in Mexico is the number of permanent insured workers registered with the Mexican Social Security Institute (IMSS), as shown in table 1 in annex II. With regard to indicators of unemployment and underemployment, table 2 in this annex shows the rate of open unemployment and the rate of partial employment due to market forces and

unemployment. This latter figure includes, in addition to the openly unemployed, persons who work fewer than 35 hours a week for market reasons.

60. The way in which unemployment affects both women and men can be seen from table 3. Information on the impact of unemployment on young persons and older workers is given in table 4. The towns with the highest rates of open unemployment in the past five years are listed in table 5.

General strategy to improve the employment situation

61. The National Development Plan 1995-2000 (NDP) states the following two objectives with respect to employment and productivity:

(a) To promote conditions to stimulate the maximum possible demand for labour for the efficient operation of the production apparatus;

(b) To promote a sustained increase in labour productivity.

62. The NDP includes a sectoral programme in this area, called the Programme of Employment, Training and Protection of Labour Rights 1995-2000 (PECDDL), which indicates the policies to be pursued in order to achieve the objectives mentioned above. This Programme is based on the following five strategies for the Ministry of Labour and Social Welfare (STPS) during the present administration.

63. Measures on linkage and adjustment of the labour market. These measures are designed both to improve management and linkages in the labour market and to continue the support for the training of unemployed workers with a view to their incorporation or reintegration in the labour market. It has the following policies:

(a) To step up the modernization of the operational capacity of the National Employment Service (SNE);

(b) To improve the management of SNE activities;

(c) To intensify the social impact of the programme of training grants for unemployed workers (PROBECAT);

(d) To improve labour market statistics.

64. Improvement of training and promotion of labour productivity. This strategy seeks to develop and entrench a training culture and the production of the skilled human resources required by the changes in production processes, and to encourage the establishment of formal wages systems for workers. The following policies are to be carried out to this end:

(a) To support the development of training in the labour centres and improve the linkages between the training services and the needs of business;

(b) To encourage the establishment of systems of productivity incentives in enterprises;

(c) To enhance the scope and efficiency of the integrated quality and modernization programme (CIMO), which provides on-the-job training for workers in coordination with enterprises;

(d) To develop the national system of labour skills (SNCL), which will recognize the work skills acquired by individuals.

65. Improvement of the working environment. The aim is to encourage the growth of a culture of prevention, to improve the environmental conditions in which work is performed, and to adapt the legislative framework for safety and hygiene by means of the following actions:

(a) To promote in the production sectors the advantages provided by a safe working environment;

(b) To update the official regulations as new technologies are introduced and changes are made in the organizational development of labour;

(c) To encourage research in this area by means of agreements with the social and private sectors and with the competent public agencies.

66. Increased decentralization and expansion of the negotiating bodies in the labour sector. The aim is to consolidate the activities of the Mexican Productivity and Competitiveness Council (COMEPROC) in order to transform it into an agency for coordination of the work of the three branches of government. The following policies will be pursued:

(a) Promotion of the activities of COMEPROC by establishing state productivity and competitiveness councils (CEPROC) in each federal state and by supporting research on the labour sector in the student and academic community;

(b) Expansion of the decentralization of the programmes of the Ministry of Labour and Social Welfare.

67. Protection of labour rights and modernization of labour courts. This strategy seeks to provide broader protection of the workers' rights established in the Constitution of the United Mexican States, the Federal Labour Act, and the legal system in general. The policies are as follows:

(a) To modernize the structure and operation of the Federal Conciliation and Arbitration Board by enhancing its operational independence;

(b) To devolve, within the framework of the Act, the necessary powers to the special boards of the Federal Board located outside the capital of the Republic, in order to bring justice closer to the places where it is sought;

(c) To strengthen the conciliation services as an alternative means of dispute resolution, and to ensure that arbitral awards are implemented efficiently and promptly;

(d) To expand and improve the cover of the services of the Federal Labour Protection Office;

(e) To consolidate the conciliation machinery;

(f) To improve the service for registration of associations;

(g) To continue to provide protection for Mexicans working abroad;

(h) To improve the quality and cover of the federal labour inspection agencies in order to ensure the full application of existing legislation in the workplace;

(i) To improve the administrative procedures for dealing with violations of the labour legislation, giving emphasis to preventive and corrective measures and not merely to punitive measures;

(j) To proceed with the modernization of the administrative procedures for dealing with labour cases;

(k) To leave responsibility for the inspection and sanction functions with the Federal Labour Office and the General Legal Affairs Office, in order to enhance the impartiality and integrity of the civil service;

(l) To strengthen even further the lines of communication between the Ministry's various administrative units with a view to ensuring uniform legal standards in the performance of their duties.

68. Furthermore, in 1995, as one of the measures taken to support the labour market, the National Employment Service (SNE) promoted the placement of workers, the training of unemployed persons, and the study of local and regional labour markets.

69. SNE operates in coordination with the governments of the federal states through the state employment services (SEE), which have a network of 99 employment offices in 83 of the country's main towns.

70. In accordance with the provisions of the memorandum of understanding signed in 1977 by the Governments of Mexico and Canada, Mexican farm workers will continue to be sent to Canada. In 1995, 4,886 farm workers were sent, most of them from the States of México, Guanajuato, Hidalgo, Tlaxcala and Morelos, to the Canadian provinces of Ontario, Quebec, Alberta and Manitoba, under the programme for temporary employment of Mexican farm workers in Canada.

71. On the basis of coordination among the federal, state and municipal governments, an emergency programme of temporary employment was initiated by the present administration under the agreement on social development, in order to mitigate the most serious effects of the crisis on the groups suffering the most acute poverty and marginalization. This programme operates in the 31 states of the Republic and gives special attention to the 22 towns with the most serious unemployment problems. The programme has included the construction of works of benefit to the community such as sidewalks and kerbing, street paving, remodelling of public squares, road improvements, repair and dredging of irrigation channels, clearance and levelling of farm land, etc., which generated 585,361 temporary jobs, 60.4 per cent of them in the States of Chiapas,

Chihuahua, Guanajuato, Hidalgo, Jalisco, Michoacán, Oaxaca, San Luis Potosí, Tabasco, Tamaulipas and Yucatán.

72. The Ministry of Communications and Transport initiated a special programme of labour-intensive maintenance of rural roads with a view to generating jobs in rural communities in the areas experiencing the most serious marginalization and unemployment. This programme received an allocation of 308 million pesos to cover 56 per cent of the network of rural roads for which the Ministry is responsible and generate more than 16 million days of work, representing 166,890 direct temporary jobs. A special housing and employment programme was also established in order to stimulate the construction industry and generate 200,000 jobs.

Indicate whether there exist groups suffering some form of discrimination or in an especially disadvantaged situation with regard to the right to work

73. Article 123 of the Constitution of the United Mexican States establishes clearly that everyone has the right to worthy and socially useful work, and that job creation and social organization for work shall be promoted for this purpose.

74. Along these same lines, articles 3 and 5 of the Federal Labour Act provide that work is a social right and duty; it is not an item of trade, and it demands respect for the freedoms and dignity of the worker and must be exercised in conditions which guarantee life and health and decent living standards for workers and their families. This legislation also states that no distinctions may be made between workers on the ground of race, sex, age, religious belief, political opinions or social status; nobody shall be prevented from working or pursuing the profession, industry or trade of his choice, provided that they are lawful. The exercise of these rights may be prevented only by decision of the competent authority when the rights of others or those of society are under attack.

75. With regard to indigenous peoples, on 5 September 1990 the Mexican Government ratified ILO Convention 169 concerning Indigenous and Tribal Peoples in Independent Countries, under which it assumes responsibility for carrying out, in conjunction with the peoples concerned, coordinated and systematic measures to protect their rights and guarantee respect for their integrity.

Measures adopted to ensure that work is as productive as possible

76. An open trade policy demands increased economic productivity in order to cope with an increasingly competitive environment. The creation of permanent jobs and increase of the real incomes of workers are essential conditions for achieving national economic growth.

77. One of the principles of labour policy in Mexico is to promote increased labour productivity. In this connection, as mentioned above, May 1995 saw the creation of the Mexican Productivity and Competitiveness Council (COMEPROC), made up of representatives of the country's production sectors and various agencies of the Federal Government, with the aim of promoting a national culture of productivity, quality and competitiveness in economic activity.

78. In 1995 an extensive programme for the training and further training of specialized workers in the production sectors was carried out under the auspices of COMEPROC. Organization seminars and workshops were held for 31 economic branches in 27 federal states, and 6,792 persons received training in coordination with the state governments and university institutions; productivity and quality diplomas were also awarded to trade-union and business leaders in the States of México, Nuevo León and Puebla.

Technical and vocational training programmes for workers

79. In order to boost the production potential of the labour force and support the sustained growth of output, the Government has taken further measures to increase the number and quality of work training schemes.

80. A programme of training grants for unemployed workers (PROBECAT) has been operating since 1984, providing training, retraining and basic instruction for the unemployed, with a view to increasing their productivity in a possible job and, at the same time, facilitating their return to work.

81. In 1995, under the agreement on a united effort to combat the economic emergency (AUSEE), it was decided to expand the cover of PROBECAT from the 250,000 grants originally programmed in 1995 to 350,000; in accordance with the provisions of the Alliance for Economic Recovery, in 1996 the number of grants was further increased to 450,000.

82. For the operation of this programme the Ministry of Labour and Social Welfare transferred to the state governments and the authorities of the Federal District budgetary resources totalling 596.9 million pesos. In addition, in 1995 PROBECAT expanded its cover to new population groups by negotiating and coordinating training activities with other governmental institutions in order to produce skilled manpower for the implementation of projects and activities connected with the provision of community services in urban and rural areas.

83. Again in 1995, resources from international financial bodies were used to establish under PROBECAT the local employment and temporary jobs initiatives (PILEOT); the aim was to extend the training activities to underemployed persons living in precarious circumstances in urban and rural areas and to carry out productive community projects and improve the local social infrastructure. This component benefited 146,361 unemployed and underemployed persons; 11,907 courses were held and 4,457 small enterprises and family workshops acted as education/learning sites for the grant-holders.

84. PROBECAT also assisted disabled persons and groups, holding 37 training courses for 726 persons between January and December 1995.

85. A comprehensive quality and modernization programme (CIMO) was initiated in 1987; it provides subsidies for on-the-job training of workers in micro, small and medium-sized enterprises and in export production units, which take an active part in the programme in the light of their needs with respect to the establishment and development of training, quality-control and productivity systems.

86. In 1995 CIMO expanded its annual target from 250,000 to 350,000 subsidies, and in addition the Alliance for Economic Recovery decided to increase to 450,000 the number of workers assisted in 1996. Attention must be drawn to the impact which CIMO has had in promoting investment in training and technical assistance for enterprises, for it has secured a significant increase in their productivity levels and numbers of protected jobs, and reduced staff turnover, as well as improving their organizational arrangements and the quality of the goods and services produced.

87. At present CIMO is supporting micro, small and medium-sized enterprises in 110 branches of economic activity in the industrial, agro-industrial, farming, fisheries, forestry, tourism and services sectors.

88. In 1995, as part of the project on modernization of technological education and training 1995-1999 (PMETyC), the Ministry of Public Education and the Ministry of Labour and Social Welfare initiated the necessary measures to establish the technical, methodological and financial bases for the introduction of occupational skills standards; these standards will define accurately the skills and aptitudes which a worker must possess in order to hold a job in the production sector. One of the effects of these measures will be to facilitate the mobility and further training of workers by providing a system for certifying their skills regardless of the way in which these skills have been acquired.

89. In order to lay the foundations for restructuring the various forms of training available to Mexico's labour force and provide better linkages between work training centres and enterprises, the Council on Standardization and Certification of Occupational Skills was established in 1995 with a mandate to develop a standardized system of skills and certification which will offer workers formal recognition of the experience acquired in the performance of one or more jobs.

90. Under this project the Ministry of Labour and Social Welfare is responsible for implementing a subproject to stimulate the demand for training, which operates through the physical infrastructure of the CIMO and PROBECAT programmes. It is important to emphasize here the 16 pilot training programmes based on occupational skills standards carried out in 16 enterprises, and the award of 1,995 training grants to unemployed persons in 99 skill modules.

91. With regard to training in the federal civil service, federal agencies have introduced improvements in the education/learning process in order to achieve a high level of efficiency and effectiveness in the generation and provision of goods and services to society and to improve the performance of public servants by means of continuous training. According to figures from the Integrated Information System, 16,390 courses were held in 1995 and 200,880 public servants received training.

Difficulties in attaining full, productive and freely chosen employment

92. Although the rate of open unemployment has not moved back down to the levels of the period before the arrival of the financial crisis at the end of 1994, Mexico's labour market does not have high levels of open unemployment in comparison with more developed countries. What Mexico does have, however, is

problems of low levels of productivity and poor working conditions, which impede proper accumulation of human capital and produce low rates of economic growth.

93. Despite Mexico's low levels of open unemployment, for more than 10 years now its economy has seen a rapid increase in the labour force, which has not been adequately absorbed in the formal sector.

94. In addition to this rapid growth in the labour force, another factor which has proved a major obstacle to full employment is the tendency for production processes to become more capital-intensive; combined with changes in the sectoral and industrial structure of the economy this means that productive activities are tending to require fewer workers per unit of capital.

95. Lastly, as mentioned above, Mexico's labour market does not have any problems with respect to the freedom to choose a job.

Proportion of men and women holding more than one job in order to secure an adequate standard of living for themselves and their families

96. The following table presents the information requested.

Percentages of working population holding a second job

	1988	1991	1993	1995
Total	3.1	3.3	3.4	6.8
Men	3.4	3.4	3.7	7.8
Women	2.6	3.1	3.0	4.6

This information refers to the second half of each of the years listed. It does not indicate why two jobs are held, but the main reason tends to be connected with declines in income, as in 1994 and 1995 for example, when real average wages in manufacturing fell by 23.4 per cent.

Measures of a legislative and other nature adopted between 1992 and 1996 affecting the right to work

97. None.

Article 7

Principal methods used for fixing wages

98. There are three basic types of wage: minimum wages (general and occupational), contractual wages fixed by individual labour contracts, and contractual wages fixed by collective agreements.

99. Minimum wages are fixed by the National Minimum Wages Commission (CNSM), which is a tripartite body made up of representatives of workers, employers and Government. The levels are fixed annually and come into force on 1 January. However, a level may be revised when economic circumstances so justify.

100. Individual contractual wages are negotiated directly by the representatives of the enterprise and the worker or workers.

101. Article 393 of the Federal Labour Act stipulates that collective labour contracts must state the amount of wages ("tabulador"). Article 399 bis states that wages shall be reviewed every year. The negotiation is conducted by the trade union party to the collective contract and the representatives of the enterprise.

System of minimum wages and the groups of wage-earners to which it applies

102. There are two types of minimum wage: general and occupational. The general minimum wage applies in specified geographical areas and is the smallest cash amount which a worker must be paid for the services rendered in a working day. The minimum occupational wage applies in specified branches of economic activity or for specified occupations, professions or jobs; a total of 88 occupations is currently recognized by CNSM.

103. The minimum general wage must be sufficient to meet the normal material, social and cultural needs of a head of family and to provide for the compulsory education of any children. The minimum occupational wage also takes into account conditions in the various economic activities.

104. In 1995 17.9 per cent of workers contributing to IMSS received a minimum wage; 32.9 per cent received between one and two and the remaining 49.2 per cent more than two minimum wages.

Machinery set up for fixing, monitoring and adjusting minimum wages

105. The National Minimum Wages Commission (CNSM) is made up of representatives of workers, employers and Government. Its Technical Office carries out studies on which the proposed levels of general and occupational minimum wages are based. The CNSM Council of Representatives approves any changes in minimum wages.

106. A minimum wage may be revised at any time during the year, provided that economic circumstances so justify. The levels are reviewed at the initiative of the Ministry of Labour and Social Welfare, which must submit an application to the CNSM President, or at the request of a trade union or federation or confederation of workers or employers, which must explain the grounds for the revision.

107. Within three days of the receipt of the request, the President convenes the Council of Representatives to consider the request and decide whether the supporting grounds are sufficient to initiate the revision process. If so, the Technical Office prepares a report on price movements and their impact on the purchasing power of minimum wages, supplying the most significant data on the national economic situation. The purpose of this exercise is to provide the necessary information for reviewing the current minimum wages and fixing, when necessary, the new levels and the date of their entry into force.

108. Compliance with the official minimum wage levels is ensured by the Labour Inspectorate or by application of the persons concerned to the labour courts.

Relationship between minimum wages and the minimum amount of money needed to meet the basic needs of a worker and his or her family

109. Nominal wages increased by 56.1 per cent between 1993 and 1996, while the consumer price index for the minimum-wage income group rose by 100.8 per cent. This means that the real minimum wage lost 22.3 per cent of its value.

Inequality between men and women in remuneration for equal work

110. Article 123 of the Constitution of the United Mexican States provides that equal wages shall be paid for equal work without any discrimination between sexes or nationalities.

111. Article 86 of the Federal Labour Act provides that equal wages shall be paid for equal work performed on equal terms with respect to job, working hours and conditions of efficiency. According to this legal principle, there should be no inequality between men and women in remuneration for equal work.

112. The differences in remuneration between men and women can be attributed to various factors such as work experience, duration of working day, type of occupation and location of job, to mention some of the most important ones.

113. Although according to the 1995 national employment survey 23.6 per cent of the female population received less than a minimum wage, while only 16.9 per cent of men were in this income range, and although 4 per cent of men with completed primary education received more than five minimum wages, while only 1 per cent of women did so, there are no empirical analyses to demonstrate the degree of inequality in remuneration between men and women due exclusively to reasons of gender.

Legislation on minimum conditions of occupational health and safety

114. Article 132, section XVII, of the Federal Labour Act provides that employers have an obligation to comply with the safety and hygiene regulations established by the laws and regulations on prevention of occupational accidents and diseases.

115. In order to expand the cover and quality of the occupational safety and hygiene measures, the Mexican Social Security Institute (IMSS) and the Ministry of Labour and Social Welfare produced draft federal regulations on safety and hygiene in the workplace which merged and updated, in a context of deregulation, six sets of regulations dealing with the prevention of occupational accidents and with safety and hygiene in the workplace.

116. In January 1997 the Diario Oficial de la Federación published the Federal Regulations on Safety, Hygiene and the Working Environment, which are designed to concentrate in a single instrument the various regulations concerning occupational safety and hygiene. These Regulations deal with the obligations of employers and workers, safety conditions, hygiene conditions, organization of safety and hygiene in the workplace, and protection of the work of minors and of women during pregnancy and breastfeeding. The text of the Regulations appears in annex III.

117. This new legislation eliminates 20 procedures, unifies many provisions, revokes six old sets of regulations, reduces the number of articles from 1,353 to 168, promotes the health and safety of workers, incorporates provisions from ILO conventions, and facilitates their insertion in Mexico's official standards. The current regulations and standards concerning occupational safety and hygiene appear in annex IV.

118. As a result of the legislative activity of the Government and the widespread dissemination of promotional materials, significant advances have been made in the consolidation and strengthening of the joint committees on occupational safety and hygiene: during 1995 10,038 committees were registered, including 2,268 of federal jurisdiction and 7,770 of local jurisdiction, covering 431,000 workers.

119. In 1995 IMSS made 7,450 visits to enterprises, produced 1,265 general studies on working conditions in enterprises with more than 100 workers and 1,614 specific studies by occupational area or job, and established 110 agreements and 12 state programmes involving the public, social and private sectors.

120. In addition, the incapacity rate was reduced to 1.4 per 1,000 workers, the average number of days of incapacity caused by workplace hazards to 0.9 per cent, and the average number of days of incapacity due to ordinary illness to 1.9 per cent.

121. On the basis of the figures on occupational accidents in its affiliated agencies and offices, the Social Security and Services Institute for State Workers (ISSSTE) has taken action at the national level to protect workers who may be at risk. This was reflected in a steady increase in preventive measures involving the creation and operation of joint committees: 5,486 national committees assessed 3,362 claims in 1995.

122. In addition, the Institute held 739 training courses in 1995 on occupational safety and hygiene, which were attended by 19,938 workers; these figures are respectively 20.4 and 5.5 per cent higher than in the previous year.

Statistics on the number, nature and frequency of occupational accidents and diseases, for men and women, 1992-1996

123. Over the past five years the number of occupational accidents has fallen from 619,577 in 1991 to 436,878 in 1995; the rate per 100 workers also fell over this period, from 6.6 to 5, and the number of deaths due to occupational hazards fell from 1.8 to 1.6 for every 10,000 workers.

124. In descending order, the commonest injuries are wounds, bruises, sprains, fractures and burns; the most commonly affected parts of the body are hands, legs, feet, eyes, heads and faces.

125. These results show the effect of the health and safety measures taken in enterprises and in the IMSS medical units, which have adopted an increasingly preventive approach in the removal of hazards and provision of better treatment of injuries.

126. Occupational accident and disease tables will be found in annex V.

Information on equal opportunity for promotion, especially the situation of women in relation to men

127. Articles 154 and 159 of the Federal Labour Act stipulate equality of opportunity for men and women workers; only if the circumstances are equal is an employer obliged to give preference to Mexican workers over non-Mexicans, to workers who have served satisfactorily, to workers responsible for a family, or to trade union members over workers who do not meet these conditions.

128. For promotion purposes, account is taken of a worker's ability. If an employer has not complied with the obligation to provide workers with training, preference will be given to workers with the longest service and, other things being equal, to workers with family responsibilities.

Legal and administrative provisions on rest, leisure and periodic holidays with pay

129. Article 63 of the Federal Labour Act provides that during the working day workers shall enjoy a rest period of at least half an hour. When workers cannot leave their workplace during rest periods or meal breaks, the corresponding time shall be counted as time worked during the day, in accordance with the provisions of article 64 of the Act.

130. Article 69 of the Act provides that a worker shall have at least one day of rest, with full pay, for every six days worked. For jobs requiring continuous work, the workers and the employer shall determine by common accord the days on which the workers are to take their weekly rest day, in accordance with article 70 of the Act.

131. Article 71 states that the weekly rest day shall be Sunday, when possible. If a worker works on Sunday and takes his rest day on another day, he shall be entitled to an additional payment of at least 25 per cent of his regular daily wage. Article 73 provides that workers shall not be compelled to work on their rest days; if this provision is violated, the employer must pay the workers, in addition to their wages for the rest day, double time for the work performed.

132. Article 74 mandates six days' holiday per year in addition to the days specified by the electoral laws with respect to regular elections. Persons who work on such days shall be entitled to double wages for the work performed.

133. Article 76 provides that workers with more than one year of service shall have a minimum of six consecutive working days per year as holiday with pay. This period is increased in increments of two days up to a total of 12. For every subsequent year of service after the fourth year the period of leave is increased in increments of two days for every five years of service.

134. Article 80 of the Act stipulates that workers shall be entitled to a holiday bonus of not less than 25 per cent of the wages due to them during the period of holiday. Workers must be granted at least six consecutive days of holiday, in accordance with article 78 of the Act. Article 79 states that holiday leave shall not be replaced by payment.

Changes between 1992 and 1996 affecting the right to just and favourable conditions of work

135. None.

Article 8

Substantive or formal conditions for joining and forming the trade union of one's choice

136. Article 123, section A-XIV, of the Constitution concerns the right both of workers and of employers to unite to protect their respective interests by forming trade unions, professional associations, etc.

137. Articles 356, 364, 365 and 366 of the Federal Labour Act set out the following substantive conditions for forming a trade union or professional association:

(a) The purpose must be the study, improvement and protection of the interests of the persons concerned;

(b) The membership must consist of at least 20 workers with jobs or three employers;

(c) The documents mentioned in article 365 of the Act must be presented.

138. Where formal conditions are concerned, article 365 of the Act provides that trade unions must be registered with the Ministry of Labour and Social Welfare in the case of federal jurisdiction or with a conciliation and arbitration board in the case of local jurisdiction, and that they must submit in duplicate: (a) a certified copy of the records of the constitutive assembly; (b) a list showing the number and names and addresses of the members and the names and addresses of the employers, enterprises or establishments in which they work; (c) a certified copy of the statutes; and (d) a certified copy of the records of the assembly at which the officers were elected. These documents shall be certified by the Secretary-General and the officials responsible for organization and records, unless the statutes provide otherwise.

Restrictions on the exercise by workers of the right to form and join trade unions

139. With regard to restrictions on the exercise by workers of the right to form and join trade unions, article 358 of the Federal Labour Act provides that no one may be obliged to join or not to join a trade union. Any regulation which establishes a penalty for leaving a trade union or which vitiates this right in some way shall be null and void.

140. Furthermore, article 363 states that workers exercising a responsibility on behalf of the employer may not join a workers' trade union. The trade union statutes may stipulate the status and rights of their members promoted to such a post of responsibility.

Guarantee of the right of trade unions to federate and join international trade union organizations

141. Article 381 of the Act guarantees the right of trade unions to form federations and confederations, which shall be governed by the trade union legislation in so far as it is applicable.

Conditions or limitations on the right of trade unions to function freely; specific cases such as SUTAUR 100 and SEMARNAP

142. The cases of the United Trade Union of Route 100 Workers (SUTAUR 100 - transport workers in Mexico City) and the Union of Workers of the Ministry of Fisheries, now the Ministry of Environment, Natural Resources, and Fisheries (SEMARNAP), which have come to the attention of international public opinion, concern trade unions of State workers, which are regulated by the Federal State Workers Act (LFTSE), giving effect to section B of article 123 of the Constitution.

143. Article 68 of this Federal Act states that a State agency shall have only one trade union. In the event of conflict between several groups of workers claiming this right, the Federal Conciliation and Arbitration Tribunal shall grant recognition to the majority group.

144. All workers are entitled to join the trade union in question, but once they have applied and are admitted, they may not leave the trade union unless they are expelled (LFTSE, art. 69).

145. Workers holding responsibilities on behalf of the employer may not join a trade union. When a trade unionist holds a post of responsibility all his trade union obligations and rights shall be suspended (LFTSE, art. 70).

146. Article 71 of the Federal Act provides that at least 20 workers are required for the formation of a trade union and that the agency in question must not have any other trade union grouping with a larger number of members.

147. A trade union's registration shall be cancelled on its dissolution or if a different trade union group with more members is registered. A request for cancellation may be made by any person concerned, and, if there is a conflict between two organizations claiming to have more members, the tribunal shall of course order a recount and take its decision accordingly (LFTSE, art. 73).

148. Any automatic renewal of appointment within a trade union is prohibited (LFTSE, art. 75).

149. The following are the obligations of a trade union of State workers:

(a) To provide the reports requested by the Federal Conciliation and Arbitration Tribunal in accordance with the Act;

(b) To communicate to the Federal Conciliation and Arbitration Tribunal, within 10 days of each election, any changes in its officers or executive committee, increases or declines in its membership, and any changes to its statutes;

(c) To facilitate the work of the Federal Conciliation and Arbitration Tribunal with respect to disputes submitted to it concerning the trade union or its members, and to furnish it with the cooperation requested; and

(d) To sponsor and represent its members before the authorities and the Federal Conciliation and Arbitration Tribunal when so requested (LFTSE, art. 77).

150. According to article 78 of the Federal Act, trade unions may join the Federation of Unions of State Workers, the only trade union federation recognized by the State.

151. Trade unions of State workers are prohibited from:

(a) Making propaganda of a religious nature;

(b) Engaging in trade for profit;

(c) Using violence against non-unionized workers to compel them to join a trade union;

(d) Encouraging the commission of crimes against persons or property; and

(e) Joining workers' or farm workers' organizations or federations (LFTSE, art. 79).

Number, structure and membership of trade unions in Mexico

152. Article 356 of the Federal Labour Act states that a union is an association of workers or employers constituted for the study, improvement and protection of the rights of the persons concerned.

153. Article 359 of the Act recognizes the right of such organizations to draft their own statutes and regulations, freely elect their representatives, organize their administration and activities, and formulate their action programmes.

154. According to article 360 of the Act, workers' trade unions may be:

(a) Based on a trade, i.e. formed by workers in the same profession, occupation or speciality;

(b) Based on an enterprise, i.e. formed by workers employed in the same enterprise;

(c) Based on an industry, i.e. formed by workers employed in two or more enterprises in the same industrial branch;

(d) Based on a nation-wide industry, i.e. formed by workers employed in one or more enterprises in the same industrial branch in two or more federal states; or

(e) Based on several occupations, i.e. formed by workers in various occupations; such unions may only be formed when, in the municipality in question, the number of workers with the same occupation is below 20.

155. Article 361 of the Act provides that associations of employers may be:

(a) Formed by employers in one or more branches of activity; or

(b) Nation-wide, i.e. formed by employers in one or more branches of activity in different federal states.

156. Workers aged over 14 may join a trade union (FLA, art. 362).

157. Workers holding responsibilities on behalf of the employer may not join a workers' trade union. Trade union statutes may specify the status and rights of its members who are promoted to a post of responsibility (FLA, art. 363).

158. Article 364 of the Act states that at the time of its formation a union must consist of at least 20 workers with jobs or three employers. In the determination of the minimum number of workers account shall be taken of any workers whose contracts have been suspended or terminated within the period beginning 30 days before the date of submission of the application for registration of the trade union and ending on the date on which registration is granted.

159. The Ministry of Labour and Social Welfare has competence to deal with enterprises falling within the federal jurisdiction, estimated at 58,000 establishments with some 1.7 million workers. As of September 1996, according to the reports of the Ministry's Registry of Associations, 1,718 trade unions with 1,514,098 members were registered for this type of establishment. There is no information about the number of trade unions operating under local jurisdiction.

160. According to the findings of the 1995 national survey of employment, wages, technology and training, manufacturing industry had 222,138 establishments and 3,502,767 workers; 28,170 of these establishments had trade unions (12.7 per cent) with 1,386,252 worker members (39.6 per cent).

The possibility to strike as a constitutional or legal right

161. In Mexico the right to strike is a constitutional right embodied in article 123, section A-XVIII, of the Constitution. This constitutional principle provides in fact that strikes are legal when their purpose is to secure a balance between the various factors of production and harmonize labour rights with the rights of capital. Public service workers must give 10 days' notice to the Conciliation and Arbitration Board of the date set for the work stoppage. A strike shall be regarded as unlawful only when a majority of the strikers commit acts of violence against persons or property, or during a war if the strikers belong to a governmental establishment or service.

Legislative or other changes between 1992 and 1996 affecting the rights contained in this article

162. None.

Article 9

Social security arrangements, schemes in force, comprehensiveness of cover, nature and level of benefits, and methods of financing

163. In accordance with the objectives of the policy of achieving social development designed to give the people access to higher levels of welfare by guaranteeing workers a range of benefits to supplement their earned incomes and facilitate fuller development of the individual and the family, the social security institutions - the Mexican Social Security Institute (IMSS) and the Social Security and Services Institute for State Workers (ISSSTE) - have concentrated their efforts on providing the services and benefits stipulated by law on a more comprehensive basis and with enhanced quality and efficiency.

164. Accordingly, during its present term of office the Government has given systematic attention to the health services, access to specialized medical services, protection against occupational and non-occupational hazards, the system of retirement pensions, the operation of day centres to support working mothers, and subsidy of the incomes of qualified claimants through the system of public shops supplying basic goods at affordable prices and by protecting the specific interests of qualified members of the population.

165. ISSSTE, in accordance with the established national and sectoral objectives, policies and strategies, is seeking to enhance the health and social welfare of public servants and their families by means of the efficient, timely and fair provision of services, insurance and benefits having a greater impact on the welfare of the recipients, thus responding to their legitimate claims and satisfying the rights of State workers with respect to social security.

166. The main objective of ISSSTE is to provide benefits for some 9.5 million Mexicans, the total number of persons enrolled with the Institute, consisting of three groups: State workers (23.62 per cent), pensioners (2.95 per cent), and family members of both groups (73.43 per cent). Its cash benefits are payable by law exclusively to insured workers and pensioners, while the benefits in kind may be delivered both to a worker and to his qualified family members.

167. The cash benefits include:

(a) Retirement pensions (old-age and length of service), and pensions in respect of incapacity to work, death, and unemployment at advanced age;

(b) Lump-sum payments;

(c) Compensation for occupational accidents;

(d) Personal loans and loans for the purchase of housing and repayment of contributions to the housing fund.

168. The benefits in kind cover:

(a) Health protection;

(b) Wages protection;

(c) Various social benefits such as day-care facilities for children, workshops for retirees and pensioners, funeral facilities, etc.;

(d) Cultural, sports and recreational facilities.

169. According to article 16 of the ISSSTE Act, "all workers enrolled in this scheme shall contribute to the Institute a fixed amount of 8 per cent of their basic pensionable wages" in order to finance the benefits described above. And according to article 21, "the public agencies and bodies subject to the regime of this Act shall pay to the Institute, as contributions, the equivalent of 17 per cent of the basic pensionable wages of their employees. In addition, such agencies and bodies shall pay 50 per cent of the unit cost for each of the children of their employees using the ISSSTE child welfare and development services".

170. In the case of IMSS, as mentioned under article 2, a proposal for social security reform was prepared as the basis of the new Social Security Act adopted in December 1995 by the Congress of the Union, which entered into force on 1 July 1997.

171. In order to implement the provisions of the new Act, the social security arrangements include a compulsory scheme and a voluntary scheme. The compulsory scheme is for workers, members of production cooperatives, and other persons specified by decree of the Federal Government. The voluntary scheme is available, through an agreement with the Institute, to the following persons: workers in family businesses and independent workers such as professionals, small traders, artisans and other unwaged workers; domestic workers; members of ejidos and communes, settlers, and small landowners; employers and other physical persons employing insured workers; and workers employed by federal public agencies, federal states or municipalities which are excluded or not covered by other laws or decrees as subjects social security.

172. According to article 11 of the new Social Security Act, the compulsory insurance scheme has five branches financed by contributions by employers, the State and the workers themselves:

1. Sickness and pregnancy
2. Occupational accidents
3. Incapacity and life cover
4. Retirement, unemployment at advanced age, and old age
5. Day-care centres and social benefits

173. These five branches are kept separate because they protect workers and other beneficiaries against different risks by means of payments in cash and in kind. For example:

(a) Sickness and pregnancy insurance, which provides medical, surgical, pharmaceutical and hospital treatment needed by a worker or his family. It also provides benefits in kind and in cash, including for example assistance for breastfeeding and subsidies in the event of a temporary incapacity to work;

(b) Occupational risks insurance, which protects workers against accidents and diseases to which they may be exposed when working or by reason of their work; workers are provided both with the necessary medical treatment and with a cash benefit while they are unable to work, which is paid to their beneficiaries in the event of their death;

(c) Incapacity and life insurance protects insured workers or pensioners against the risks of incapacity or death not due to an occupational risk; a pension is granted to the person concerned or his beneficiaries;

(d) Retirement, unemployment at advanced age, and old-age insurance is the means by which contributors save for their old age; accordingly, the risks covered are retirement, unemployment at advanced age, and old age, as well as the death of pensioners covered by this insurance. When this insurance is taken out, the worker will be entitled to a pension, medical treatment, and family benefits and assistance in accordance with the requirements of the Act;

(e) Lastly, day-care and social benefits insurance gives insured persons and their beneficiaries access to the services of day centres for their children on the terms specified in the Act, and provides members of the Institute and the community at large with social benefits designed to improve their health, prevent sickness and accidents, and contribute to a general improvement of the people's living standards by means of various programmes and services.

174. It must be pointed out that substantial changes have been made in the former legislation, which had only four branches: occupational risks; sickness and pregnancy; incapacity, old age, unemployment at advanced age, and death (IVCM); and day care. This means that the IVCM insurance has been divided into two new branches (incapacity and death; and retirement, unemployment at advanced age, and old age), so that some of the former social benefits are now insured benefits.

Percentage of GDP and the national budget spent on social security (updated figures for 1992- 1996)

175. With regard to the finances of the social security institutions, in 1995 IMSS recorded own income of 39,008.8 million pesos, i.e. 17.2 per cent less in real terms than in 1994 owing to the decline in the number of contributors, the real drop in wages, and the lower rate of cover. The programmed expenditure of IMSS was 42,189.7 million pesos, representing 9.9 per cent less in real terms than in 1994; this item was affected by a greater use of stocks, lower expenditure on cash benefits, and a lower investment rate. Despite the decline in investment expenditure, the Institute completed 85.4 per cent of the 96 public works undertaken during the year, including 25 family medicine units and 18 general hospitals.

176. ISSSTE had own income of 1,265.3 million pesos, a drop of 7.5 per cent in real terms due to the decline in the real incomes of its contributors, which was

partially offset by the profits of the shops system and by the revenue generated by the trusts of the ISSSTE Housing Fund (FOVISSSTE) and by the collection of debts from earlier years. In accordance with the Institute's programme priorities, its expenditure totalled 1,147.9 million pesos, 17.6 per cent lower in real terms than in 1994. Where investment was concerned, the Institute completed the construction of five first-level units and expanded 18 hospitals and hospital clinics.

177. The following table shows ISSSTE expenditure as percentages of GDP and the national budget in the period 1992-1997.

Financial indicators

(millions of pesos)

	1992	1993	1994	1995	1996
GDP	1 125 334.3	1 256 196.0	1 420 159.5	1 792 694.7	2 492 600.0
Net national expenditure	n.a.	279 709.0	328 191.0	421 240.6	725 789.6
Total ISSSTE expenditure	6 756.6	8 047.3	10 025.2	11 148.1	15 489.8
% ISSSTE expenditure /GDP	0.6	0.6	0.7	0.6	0.6
% ISSSTE expenditure/ net expend.	n.a.	2.9	3.1	2.6	2.8

178. Federal public investment in the social development sector is shown in the following table, which uses figures collected by the National Statistics, Geography and Information Technology Institute (millions of pesos).

Period	Total	Social development
1992	43 835.5	17 856.8
1993	47 363.0	20 476.9
1994	57 577.4	26 219.4
1995	66 820.3	31 348.2

179. The social development component of public expenditure consists of the following headings: education, health and employment, solidarity and regional development, urban development, drinking water and environment, and subsidized provisions programme.

Groups totally denied the right to social security or enjoying it to a significantly lesser degree than the majority of the population, with special reference to the situation of women

180. The Mexican Government is concerned about the most vulnerable population groups and in the new Social Security Act it introduced the voluntary insurance

scheme, available to all Mexicans regardless of whether they work, through the family health insurance scheme. It also created the IMSS Solidarity Programme, financed with resources from the Federal Government, as a response to the growing needs of the marginalized rural and indigenous populations which have no access to medical services. This effort has provided access to health services for more than 10.9 million Mexicans in this situation.

181. The maternity protection system is part of the sickness and pregnancy insurance scheme, the principles and benefits of which have undergone no changes; however, under the new legal arrangements protection is extended to pregnant women who subscribe to or benefit directly from the family health insurance scheme.

182. For women who do not qualify for the social security benefits provided through IMSS or some other social security institution alternative possibilities of care and protection in the event of pregnancy are provided by the Ministry of Health, the national system for integrated development of the family (DIF), the State health institutions, or indeed private medical services.

183. The status of female State workers with respect to the all economic, social and cultural rights is spelled out in article 3 of the ISSSTE Act, which states that they must be granted the insurance cover, benefits and services relating to:

> "...preventive medicine. Sickness and maternity insurance, physical and mental rehabilitation services, occupational accident insurance, retirement insurance, old-age and length of service retirement insurance, incapacity insurance, life insurance, insurance for unemployment at advanced age, lump-sum compensation, child welfare and development services, comprehensive retirement services for retirees and pensioners, rental or purchase of low-cost housing belonging to the Institute, mortgages and housing finance in general for the purchase of land and/or dwellings, construction, repair, extension or improvement of dwellings, and payment of liabilities incurred in this connection; medium- and short-term loans, services to improve the quality of life of public servants and their qualified family members, tourism services, cultural and technical training measures, sports and recreational facilities, funeral facilities, and the retirement savings system..."

184. Women State workers enjoy all the rights granted to men under the ISSSTE scheme, and the wife or live-in lover of a State worker enjoys all the rights accorded to her by law as a dependant, even when in fact she does not depend economically upon the worker.

Policy measures to ensure that the whole population has access to social security, especially measures aimed at specific vulnerable and disadvantaged groups

185. The new Social Security Act represents a substantial innovation benefiting the whole of society; it guarantees the survival of the Institution and its humanitarian vocation, enhances its sense of justice, provides it with more solid foundations and increases its capacity to provide services by restoring its previous financial viability; it improves the Institution's payments and

benefits arrangements and modifies its incentives system in order to encourage employment and domestic savings, as well as due fulfilment of their obligations by contributors.

186. The new legal framework offers greater transparency in the management of the insurance funds; it also encourages enterprises to invest in the prevention of occupational hazards, provides more people with access to medical benefits, establishes new and more just and equitable arrangements for workers' pensions which encourage domestic savings to the benefit of the economy as a whole, and provides fairer retirement pensions; it also transforms social benefits into insured benefits as an integral element of social security for Mexicans. In addition, by ensuring a clear division of resources among the various branches of insurance it provides, amongst other things, more day-care facilities, an essential condition for the increased employment of Mexican women.

187. Two insurance schemes - compulsory and voluntary - have been established, so that all persons working on their own account can have access to the IMSS medical services by enroling in the new family health insurance scheme which, for an annual contribution equivalent to 22.4 per cent of the general minimum wage in the Federal District, covers all family medical costs. This provides valuable support for a family's health and budget, for it provides family entitlement to quality medical services at a much lower price than any private insurance scheme. This is one of the most important changes introduced by the new Social Security Act, for it achieves a greater cover of the population.

Changes affecting the right to social security between 1992 and 1996

188. One major change affecting the right to social security was the establishment of the retirement savings system, which covers all State workers. This system is designed to increase the resources available to workers at the time of their retirement by opening individual bank accounts in their names, to which the agencies and offices subject to the Act deposit the statutory contributions plus 5 per cent for the Housing Fund.

189. These agencies and offices are obliged to contribute 2 per cent of the basic wage of the person concerned, with an upper limit on this wage of the equivalent of 25 times the current general minimum wage in the Federal District. These contributions are made as cash deposits to the account of each of worker; they are certified by the statement issued by the credit institution in question to each worker informing him that the deposits have been made.

190. In order to maintain the purchasing power of the savings accumulated by a worker during his working life and increase it in real terms, the balances of the retirement savings accounts must be adjusted periodically in the light of the national consumer prices index.

191. Retirement account funds may be withdrawn only when the worker reaches 65 years of age or becomes entitled to an ISSSTE pension, without prejudice to the right to designate beneficiaries in the event of death. If the worker becomes unemployed, he may withdraw up to 10 per cent of the balance of his retirement savings account.

192. The establishment of the retirement savings system has benefited State workers, for with the establishment of the Housing Fund account the agency responsible for financing an increasing volume of housing has been placed on a sounder footing by the introduction of practical and effective mechanisms for the granting of loans, or indeed for repayment of loans granted earlier.

193. In short, the retirement savings system constitutes a significant benefit for State workers, for by providing a benefit in addition to the ones accorded by law it directly protects its contributors and their qualified family members, in addition to constituting an advance in the development of social law in Mexico.

194. Another change which affected social security and benefited in particular retirees and pensioners and their qualified family members was the discontinuance by ISSSTE of the contribution which this group of insured persons had to pay in order to enjoy the benefits of the sickness, pregnancy and preventive medicine scheme.

195. In addition, as mentioned earlier, in December 1995 the Congress of the Union adopted a new Social Security Act, which entered into force on 1 July 1997. According to article 2 of the new Act:

> "The purpose of social security is to guarantee the right to health, medical care, protection of income and the social services necessary to individual and collective well-being, as well as the right to a pension which, where appropriate and subject to prior fulfilment of the legal requirements, will be guaranteed by the State. These entitlements may be obtained through the compulsory or the voluntary scheme".

196. The new Social Security Act replaces the existing Act, published in March 1973. Thus, 1 July 1997 will mark the start of a transitional stage, during which the benefits provided by the expiring Act will be maintained and which will fundamentally alter the funding structure of the social security system and some of the requirements for award of pensions. During this transitional period, which will run from 1 July 1997 until the date on which the last worker affiliated to the social security system before 1 July 1997 receives his pension, both pieces of legislation will be in force. Any insured person who has contributed under the old Act and who reaches pensionable age under the new Act will be entitled to request IMSS to produce estimates of the amount of his pension under each of the two schemes, so that he may decide which one is more in his interest (provisional article 4).

197. All workers who have contributed to the pension system established by the earlier Act will be able to opt for either scheme, as they see fit. Furthermore, none of the acquired rights of insured persons and their beneficiaries will be affected by the entry into force of the new Act (provisional article 5).

Article 10

Extent to which children enjoy the various rights recognized in the Covenant

198. In October 1995 the Government, through the National Action Committee for Children, created pursuant to the 1990 World Declaration on the Survival, Protection and Development of Children, published the National Action Programme for Children 1995-2000, with the central aim of enhancing the survival, protection and development of mothers and children. These are the general targets of the National Programme:

(a) To reduce by half, between 1990 and 2000, the mortality rate among children aged between one and five years;

(b) To reduce by half, between 1990 and 2000, the maternal mortality rate;

(c) To reduce by half, between 1990 and 2000, the rates of severe and moderate malnutrition among children aged under five years;

(d) To provide universal access to drinking water and hygienic means of disposal of excreta;

(e) To provide universal access by 2000 to basic education and completion of primary education for at least 80 per cent of children of school age;

(f) To reduce the adult illiteracy rate to at least half the 1990 level, with special emphasis on women's literacy;

(g) To improve the protection of children in especially difficult circumstances.

199. The following are the main objectives and support targets of the National Programme:

(a) Women's health and education

(i) Special attention to the health and nutrition of girls and pregnant and breastfeeding women;

(ii) Access of all couples to information and services to prevent excessively early, closely spaced, excessively late and excessively numerous pregnancies;

(iii) Access of all pregnant women to antenatal care, attendance by trained personnel during delivery, and advisory services in the event of high-risk pregnancy or an obstetrical emergency;

(iv) Universal access to primary education, with special emphasis on girls, and accelerated literacy programmes for women.

(b) Nutrition

(i) Reduction by 50 per cent in the 1990 rates of severe and moderate malnutrition among children aged under five years;

(ii) Reduction of the incidence of low birth-weight (2.5kg or less) by at least 10 per cent;

(iii) Reduction by a third of the 1990 levels of iron-deficiency anaemia among women;

(iv) Virtual elimination of iodine-deficiency diseases;

(v) Virtual elimination of vitamin-A deficiency and its consequences, including blindness;

(vi) Guarantee that all mothers breastfeed their children during the first four to six months and that they continue breastfeeding with the addition of food supplements until well into the second year;

(vii) Institutionalization of measures to support children's growth and monitor it periodically;

(viii) Dissemination of knowledge and support services to increase food production and guarantee family food security.

(c) Child health

(i) Eradication of poliomyelitis by 2000;

(ii) Eradication of neonatal tetanus by 1995;

(iii) Reduction of deaths due to measles by 95 per cent and of cases of measles by 90 per cent by 1995;

(iv) Maintenance of a high level of immunization cover (at least 90 per cent of children aged under one year by 2000) against diphtheria, whooping cough, tetanus, measles, poliomyelitis and tuberculosis, as well as against tetanus in women of childbearing age;

(v) Reduction of deaths due to diarrhoea in children aged under five years in 1994 by 50 per cent and of the incidence of diarrhoea by 25 per cent;

(vi) Reduction by a third of deaths due to acute respiratory infections among children aged under five years in 1994.

(d) Water and sanitation

(i) Universal access to drinking water;

(ii) Universal access to hygienic means of disposal of excreta.

(e) Basic education

(i) Expansion of development activities in early childhood, including appropriate low-cost interventions in the family and the community;

(ii) Universal access to basic education and completion of primary education for at least 80 per cent of children of school age in school or non-school systems, with comparable standards of learning, thus reducing the disparities in the education of boys and girls;

(iii) Reduction of the adult illiteracy rate by at least 50 per cent of the 1990 level, with emphasis on women's literacy;

(iv) Improved instruction of individuals and families in the technical knowledge and values necessary for a better life.

(f) Children in particularly difficult circumstances

(i) Improved protection for children in particularly difficult circumstances;

(ii) Elimination of the fundamental causes of such situations.

200. In addition, in its programme on women, children and the family the National Commission on Human Rights is seeking to secure effective responses to the complaints of violations of the human rights of women and children, while at the same time endeavouring to promote measures, both legislative and administrative, for the eradication of such violations. To this end, various information and publicity measures are being carried out in an effort to alter the cultural patterns which allow discrimination against women and abuse of women and children.

201. In this connection, during the six month period June-December 1996 the National Commission concluded a compilation of Mexico's federal and local regulations in connection with the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child. On the basis of a study of this compilation it prepared proposals for suitable changes in constitutions and legislation on social assistance, education, health and elections, as well as in the federal and state civil, criminal and family codes. These proposals are designed to ensure that the regulations provide better protection for the rights of women, inspired by a vision of gender equality, and for the rights of children, in accordance with the principle of the best interests of the child; the main proposals deal with the rights to a life free of violence, an identity from birth, and protection in the family.

202. Through this work the National Commission is contributing to fulfilment of the obligation of the Mexican State to apply the international human rights conventions. These studies were delivered to the President of the Republic, the head of the government of the Federal District, and to the 31 state governors.

Formal and informal means to grant assistance and protection to the family; measures to facilitate the establishment of a family, and to maintain, strengthen and protect it, particularly while it is responsible for the care and education of dependent children

203. Article 4 of the Constitution of the United Mexican States provides in its second, third, fifth and sixth paragraphs that:

> "Men and women are equal before the law. The law shall protect the organization and development of the family.
>
> "Everyone shall be entitled to decide the number and spacing of his or her children in a free, responsible and informed manner.
>
> "Every family shall be entitled to enjoy decent and proper housing. The law shall establish the instruments and supports necessary for attainment of this goal.
>
> "It is the duty of parents to protect the right of minors to satisfy their needs and their right to physical and mental health. The law shall determine the support for the protection of minors to be provided by public institutions."

204. In addition, the National Social Assistance Act spells out the rights and guarantees of the family and establishes and regulates the machinery for coordination of the agencies and offices of the Federation and the federal states, as well as of the social and private sectors, in their work in favour of the family. This Act provides the legal foundation for the operational framework of the national DIF system, the objectives of which are to promote the provision of social assistance and services in this field and to encourage the systematic coordination of the family protection work of public institutions.

Information on the system of maternity protection and any changes in benefits between 1992 and 1996

205. The maternity protection services of the Mexican Social Security Institute (IMSS) are funded by the sickness and pregnancy insurance scheme, the principles and benefits of which have not undergone any changes; however, the new legal arrangements, which entered into force on 1 July 1997, extend maternity protection to women who join or directly benefit from the family health insurance scheme.

206. In the case of working mothers or beneficiary mothers, these benefits consist essentially of medical, obstetrical, hospital and pharmaceutical treatment during pregnancy, delivery and the post-partum period, as well as for the new-born child. Working mothers are also released from work for six weeks before and six weeks after the birth and are provided with a layette for the new-born child.

207. Women who are not entitled to benefits under the social security scheme of IMSS or some other social security institution have other possibilities of maternity care and protection provided through the Ministry of Health, the

national DIF system, the state health institutions, or indeed private medical services.

Sickness and pregnancy insurance

208. The following persons are covered: insured female or male workers; persons in receipt of a pension by virtue of permanent total or partial incapacity to work, invalidity, unemployment at advanced age, old age, widowhood or orphanhood, or in respect of a parental entitlement; the wife or live-in wife of an insured person; the wife or live-in wife of a pensioner; the children aged under 16 of an insured person or pensioner or children aged up to 25 while taking courses of study, or children who cannot support themselves owing to a chronic illness or physical or mental deficiency; and the father or mother of an insured person or pensioner living in his household.

209. Insurance benefits are provided in kind and in cash; this means that the Institute will provide for the insured persons and other qualified persons mentioned above any medical, pharmaceutical or hospital treatment which may be necessary and/or that the insured person will be entitled to a cash benefit when his illness incapacitates him for work.

210. This benefit is paid from the fourth day following the onset of the incapacity and for its duration up to a limit of 52 weeks. If at the end of this period the insured person remains unfit for work, payment of the benefit may be extended for a further 26 weeks. An insured person may receive this benefit only if he has paid at least four weekly contributions immediately prior to the illness. Casual workers must have paid six weekly contributions in the previous four months. The cash benefit is equal to 60 per cent of the insured person's latest pensionable daily wage.

211. During pregnancy and the post-partum period insured women are entitled to a cash benefit equal to 100 per cent of their latest pensionable daily wage, which will be paid for 42 days before and 42 days after delivery. In order to qualify for this benefit an insured woman must have paid at least 30 weekly contributions during the 12 months prior to the date on which the benefit would fall due.

212. The necessary resources to cover the benefits in cash and in kind and the administrative expenses of the sickness and pregnancy insurance scheme are provided by the compulsory contributions of employers and workers and the contribution of the State. The new Act introduces a new contributions structure, under which workers and employers will pay less, on average, because the State will pay more. With respect to the cash benefits, an amount equivalent to 1 per cent of his basic wages subject to contributions will be paid in respect of each contributing worker; this amount will be divided between employer, Government and worker in the proportion 70, 5 and 25 per cent respectively.

213. When a worker is unemployed, both he and his family will be entitled to any necessary medical, surgical, pharmaceutical or hospital treatment for eight weeks provided that he has contributed for at least eight weeks without interruption.

214. With regard to State workers, article 28 of the ISSSTE Act states:

> "...female workers and pensioners, and wives of workers or pensioners or, where appropriate, the live-in wife of a worker or pensioner, and the daughters of workers or pensioners who are unmarried, under the age of 18 years and economically dependent upon them, shall be entitled to the following benefits:
>
> I. Any necessary obstetrical treatment from the date on which the Institute certifies the pregnancy. The certificate shall state the probable date of the birth;
>
> II. Assistance for breastfeeding when, according to a medical opinion, there is a physical or occupational impediment to breastfeeding the child. This assistance shall be furnished in kind for a period of up to six months following the birth and shall be delivered to the mother or, in her absence, to the person responsible for feeding the child; and
>
> III. On the birth of the child, a layette, the value of which shall be indicated periodically by the Institute."

215. In addition, article 29 of the Act provides that women workers and pensioners, wives, unmarried daughters aged under 18 years and, where appropriate, live-in wives are entitled to the benefits established in article 28, provided that the rights of the female worker or pensioner or of the directly insured person from which these benefits derive have been maintained during the six months prior to the birth.

216. Thus, maternity protection is guaranteed by the legislation described above, as well as by the legislation on the other medical services which the Institute provides for its members.

Indicate whether there are any groups of women who do not enjoy any maternity protection at all or who do so to a significantly lesser degree than the majority

217. There are groups of women who enjoy limited maternity protection and benefits; these are women not qualified under a social security scheme and not entitled to treatment from the health institutions and agencies, for example the Ministry of Health. The same applies to women in some rural communities, where there is little or no access to or availability of obstetrical services; this situation is particularly serious for women living in communities of fewer than 500 inhabitants.

218. These groups of women enjoy limited services and benefits because, in addition to the inadequate provision, they have to pay the cost of an obstetrical consultation or treatment, which although small does represent a clear limitation on access to treatment for people living on a minimum wage or in marginalized urban areas, quite apart from the fact that they do no enjoy any free childbirth benefits.

219. There are also women workers or beneficiaries known as "rural seasonals", who although formally protected by IMSS find it difficult to take advantage of

the medical services during pregnancy because they move from place to place for their work. This means that they have fewer opportunities for identifying risks and preventing harm during pregnancy, and they constitute a group in which the maternal mortality rate is much higher than among the rest of the population protected by IMSS.

Protection and assistance measures for children and young persons, especially measures to protect them from economic exploitation or to prevent their employment in work harmful to their morals or health or dangerous to their life and development

220. Title Five of the Federal Labour Act deals with child labour and establishes minimum standards of protection for child workers, regulating in particular the questions of medical checks, work which children may not perform owing to its hazardous nature or which may be harmful to their health or morals, maximum working hours and rest days, etc.

221. The labour legislation prohibits the recruitment of children aged under 14 and regulates work performed for an employer on an individual basis by older children. In particular, article 175 of the Federal Labour Act prohibits the employment of children under 18 in night work in industry and or children under 16 in work involving travel, and underground or submarine work which may affect their morals and good habits and may be beyond their strength, as well as work connected with the sale of alcoholic drinks, work in non-industrial enterprises after 10 p.m., or in dangerous or unhealthy work. In addition, article 154 of the new Federal Safety, Hygiene and Working Environment Regulations specifies the dangerous and unhealthy work in which children aged 14 to 16 may not be employed.

222. In addition to these rules, articles 22 and 23 of Title Two, chapter I, of the Federal Labour Act establish a clear prohibition on the employment of children aged under 14 and non-minors aged under 16 who have not completed their compulsory education, except in cases approved by the competent authority when the work is compatible with their schooling. Young persons aged over 16 may offer their services without restriction, subject to the limits established by law. Children aged over 14 but under 16 require the permission of their parents or guardians or, in their absence, of the trade union to which they belong, of the Conciliation and Arbitration Board, the Labour Inspectorate, or the political authority.

223. Child workers may receive their wages directly and are competent to complete the corresponding formalities.

Numbers of children, and of which age groups, engaging in paid employment, and to what extent

224. According to the findings of the 1995 national employment survey, which collected information about the working population aged over 12 years, there was a total of 1,284,711 children and adolescents aged 12 to 17 working as wage-earners (see annex VI).

225. Where remuneration is concerned, 52.7 per cent of the children received no pay and 2.4 per cent received more than two minimum wages, whereas for all

workers these figures were 15.3 and 31 per cent respectively. The population of unpaid child workers consists basically of family workers (97.8 per cent).

Indicate whether there are any groups of children and young persons which do not enjoy measures of protection and assistance at all or which do so to a significantly lesser degree than the majority

226. There are children and young persons who, owing to their economic and social situation, enjoy the protection and assistance measures to a significantly lesser degree than the majority of the country's children and young people; they are therefore registered under national anti-poverty programmes and, in particular, under the component on children in particularly difficult circumstances of the National Action Programme for Children 1995-2000.

227. There is a large vulnerable group consisting of young persons in disadvantaged economic and social circumstances. In view of the size of this group as a proportion of the total population, it has been necessary to strengthen the institutional programmes providing care for the persons involved and to encourage their participation in social development and the provision of basic services.

228. In this context, and in accordance with the main lines of the National Development Plan 1995-2000, under the present administration measures have been taken to expand the educational cover of young people living in marginalized urban areas; this has included the establishment of the educational television satellite broadcasting network (EDUSAT) of the Ministry of Public Education. In addition, grants are provided for travel, school attendance and maintenance under the FIDUCAR programme, which is designed to provide support for young persons in rural communities who have no opportunity of primary or secondary education.

229. The work done by young people has been very important in poor communities. Their participation as health workers and primary health care technicians has been encouraged, and their efforts have brought assistance to remote communities which have no health services. They have also been trained in the prevention and monitoring of acute diarrhoeal complaints and acute respiratory infections, in vaccination and family planning, and in the early detection of chronic diseases.

230. In order to encourage the involvement of graduates of technical and higher education in work of benefit to the community through the performance of social service, governmental agencies and programmes, such as the Office of the Social Comptroller of the Federal District, Centroamerica Vecino, Paisano Amigo, Integración Juvenil, the National Sports Commission, and the national DIF system provide an annual average of 55,000 grants nation-wide. In addition, the "Jovenes de Solidaridad" programme carries out measures connected with education, community work, social service, productive projects, sports and culture among young people in rural and urban areas.

231. Although the labour legislation does not regulate work done by children independently or by children who earn their living as street vendors, car washers, windscreen washers, etc., since they are not subject to a legal labour contract, there are other laws and public programmes to protect children against

economic exploitation and help children engaging in work harmful to their health or morals to find alternative jobs: for example, the Social Assistance System Act, the National Action Programme for Children 1995-2000, the Mexico-UNICEF cooperation programme, etc.

Situation of orphaned, abandoned and disabled children and young persons, and those deprived of their family environment, and street children

232. With regard to these vulnerable groups of orphaned, abandoned and disabled children and young persons, those deprived of their family environment, and street children, the Government, through the national DIF system, has formulated in conjunction with UNICEF the basic documents on their cooperation in the period 1996-2000. This cooperation has three strategic components:

(a) Integrated measures in priority regions - basic food, nutrition, health and sanitation package;

(b) Global programmes of national scope - protection of and respect for the rights of children, women and the family;

(c) Sectoral programmes - part of the effort to attain the sectoral targets in health, nutrition, education and care for children and adolescents in especially difficult circumstances.

233. In addition, the Government's former programme for children in special circumstances (MESE) was transformed into the programme for children in especially difficult circumstances (MECED), a concept which also covers street children, homeless children cared for in public institutions, abused children and children victims of physical or mental maltreatment, disabled, orphaned and abandoned children, and other categories which in recent years have gained a similar importance, or have become merged with street children as a result of the increasing diversity and complexity of society, especially in the country's big towns. These categories of children include day labourers, drug addicts, delinquents, and indigenous, migrant, refugee and repatriated children.

234. On the basis of this new vision, the MECED strategy is to implement programmes which revalue the role of children in the family environment, which regard them socially as subjects of law, and which encourage a culture of proper respect for the status of children in society. For example, the state DIF systems are providing care for children by means of a basic package of assistance in education, health, nutrition, protection, strengthening of family links, training for work, and respect for their rights.

235. The preventive component gives emphasis to the family and to children at risk of becoming street children and to any other of the categories mentioned above, particularly in areas and towns from which there is an exodus of such people; and at the same time the care component concentrates on the concrete cases detected, especially in the main municipalities, towns and urban areas where such people seek refuge.

236. In addition, the Government provides minors cared for in the national DIF system with shelter and food, medical, psychological and learning-disability treatment, and cultural, sports and recreational activities, as well as

education and training, including work training. In this connection, the DIF Shelter for Girls and Boys is introducing reforms in its care arrangements, with emphasis on the training, integrated development and personal improvement of the children, using such tools as the "ten basic values", a children's expression and development workshop, etc.

237. The Casas Cuna, in addition to providing these services, operates programmes of multiple early stimulation and development of habits and values, with a view to achieving in the children an affective, psychomotor and social balance, as well as toilet training and improved personal hygiene. In addition, the Internados Amanecer (Daybreak Homes) for girls and boys provide care for children aged 6 to 18, most of them from broken families.

238. The national DIF system provides services in its 173 community preschool care centres, catering for an average of 8,000 children aged 6 to 11, and in its 54 child development support centres, catering for an average of 5,000 children under five nation-wide.

239. The integrated development programme for adolescents (DIA), which operates through the local DIF arrangements in the country's 31 federal states, seeks to modify behaviour by reinforcing the family situation and securing the committed participation of young people to activities of community benefit. With the support of the national DIF system, progress has been made in the municipalities in the dissemination of regulations and guidance and training of operational staff, reaching a total of about 750,000 adolescents, 160,000 parents, and 25,000 teachers committed to the programme in the country's 31 states.

240. In the Federal District, in collaboration with the National Population Council (CONAPO), the national DIF system initiated the "De Joven a Joven" programme, which provides guidance, counselling and referral services by telephone for children, parents and teachers on matters connected with adolescence, sexuality, abuse and rape, family relations, addictions, abortion and birth control, etc. The programme has achieved a satisfactory response, with more than 80,000 calls a year in the Federal District and its conurbation, three quarters of them from children and young people aged 12 to 23. More than 70 per cent of the calls came from children in secondary, higher-secondary and higher education - useful information when it comes to adapting and redirecting the programme to ensure that its benefits and assistance reach the various groups of young people in a more balanced manner.

241. In the case of addiction-prevention activities among the country's children and young people, the Government is carrying out information and guidance measures reaching about 150,000 persons, as well as training programmes and activities such as competitions, meetings, and recreational, artistic and social events, in which half a million young people have participated. It is worth mentioning that the national meeting of community development youth brigades in 1995 was attended by 200 brigade members from throughout the country.

242. A number of social projects have been initiated to prevent drug use, with young people encouraged to participate by means of activities which engage their interest. These same young people are considered to be the best channels for

communicating to the population at large and to the young population in particular the risks and consequences of substance abuse.

243. In addition, the Ministry of Health and the Ministry of Public Education signed a collaboration agreement to continue the training of secondary teachers, teacher trainers, and physical education teachers in sex education, in order to reduce the risks of pregnancy and sexually transmitted diseases and encourage young people and adolescents to use condoms, in particular to prevent AIDS.

244. The public education institutions run extensive programmes of special education for disabled children; these programmes are being updated on the basis of a new vision of the integration of disabled children in the regular school system. The assistance policy pursued through the national programme to promote the welfare of the disabled and incorporate them in development seeks to provide a response to the needs of this population group by pooling the resources of public and private institutions to initiate a process of change in which the disabled will be the protagonists of their own development.

245. In order to construct and consolidate a national system of information on the disabled, the Ministry of Public Education, the National Statistics, Geography and Information Technology Institute (INEGI), and the national DIF system produced a disability registry covering children in preschool, primary and secondary education in all the country's public and private schools. This exercise produced the following findings in 1995:

(a) There were 2.9 million children aged 0 to 17 years with some problem of disability, including 259,000 aged 0 to 5, 1.7 million in the 6-12 age group, and 860,000 aged over 12;

(b) 85 per cent of all the disabled children had a single disability, while the remaining 15 per cent had two or more;

(c) The commonest forms of disability were sight (44 per cent), speech (17 per cent), and hearing (8 per cent);

(d) The least common forms of disability were autism (2.5 per cent), disability associated with epilepsy (1.3 per cent), Down's syndrome (0.5 per cent), and cerebral palsy (0.4 per cent).

Information and publicity about the rights of the child

246. The National Commission on Human Rights and the national DIF system, in coordination with UNICEF, provide systematic information and publicity about the rights contained in the Convention on the Rights of the Child by means of a number of publications and mass media promotions, in order to make both children and adults more aware of the importance of recognition of and respect for these rights.

247. The Ministry of Public Education has included the rights of the child in the free primary school textbooks distributed throughout the Republic.

248. Lastly, it is important to mention that, in connection with the federal elections held on 6 July 1997, the Federal Electoral Institute and UNICEF

carried out a campaign to publicize and promote the rights of the child: "Democracy and the rights of the child: the elections are for us as well". The purpose of this campaign, in addition to publicizing the rights of the child, was to ensure that even small children appreciated the value of free expression of their opinions and shared in the experience of participating as children in voting for the right which they liked most and which they thought most important for them.

Extent to which the family still functions as a fundamental element of society

249. The Government acknowledges that the family is a fundamental element of society, and the family is protected, as mentioned earlier, by the provisions of article 4 of the Constitution of the United Mexican States.

250. In the National Population Programme 1995-2000 the Government of President Zedillo recognizes the family as the basic institution of society and has initiated a number of programmes, through the national DIF system, the Ministry of the Interior and the Ministry of Public Education, giving priority to projects designed to strengthen the family as an institution and enhance the status of women, the most important element in the family environment.

Article 11

Information on the current standard of living of the population in general and of the various socio-economic, cultural and other groups within society; changes in the standard of living of the population between 1992 and 1996

251. According to the eleventh general population and housing census, carried out in 1990 by the National Statistics, Geography and Information Technology Institute (INEGI), the working population totalled 23,403,413 out of a total population of 81,249,645.

Working population recorded by INEGI in 1990

1,690,126	No income
1,558,000	Up to 50% of one minimum wage
2,960,090	Over 50% but under one minimum wage
98,669	One minimum wage
8,489,910	Over one but under two minimum wages
3,542,069	Over two but under three minimum wages
2,283,543	Over three but under five minimum wages
1,192,312	Over five but under 10 minimum wages
588,457	Over 10 minimum wages

252. In 1995 the national education, training and employment survey carried out by INEGI and the Ministry of Labour and Social Welfare recorded a working population of 33,578,414 out of a total population of 91,158,290.

Working population recorded by INEGI in 1995

5,122,752	No income
6,401,483	Under one minimum wage
10,402,555	Between one and two minimum wages
4,843,162	Over two but under three minimum wages
3,184,132	Over three but under five minimum wages
1,678,211	Over five but under 10 minimum wages
694,954	Over 10 minimum wages

253. Additional information on this point will be found in the section on article 2 of the Covenant.

Per capita GDP of the poorest 40 per cent of the population, "poverty line" and its basis

Right to adequate food

254. With respect to article 17, paragraph 3, of the Covenant, see the report of the Government of Mexico on food security submitted to the Food and Agriculture Organization of the United Nations in connection with the World Food Summit held in Rome in 1996.

General overview of the extent to which the right to adequate food has been realized; nutritional surveys and other measures to guarantee the enjoyment of this right

255. The National Health Service has been carrying out measures in recent years to improve the nutritional situation of the population, especially mothers and children, such as monitoring of the nutrition, growth and development of children under five, provision of comprehensive health services, food aid for groups at risk, and guidance and education for mothers on the prevention of health risks and harm, and promotion of increased food supplies at the family and community levels.

256. In addition, cooperation with other sectors has been strengthened, in particular with the education sector, and this has made it possible to extend nutritional monitoring to children of preschool age. Records systems have been created and improved in order to provide a clearer picture of the situation.

257. The Government has made progress in combating malnutrition among the population by monitoring the growth and development of children by age group, preventing diseases due to iodine deficiency and vitamin-A deficiency, and providing food and nutrition education and food aid.

258. With a view to improving the people's nutritional standards, in recent years several public institutions involved in social policy have been carrying out food aid and health programmes which provide assistance but without any specific nutritional objective, and others have been working to improve the diet of vulnerable groups.

259. The nutrition and health programme of the Ministry of Health has reached 50,000 under-fives and pregnant and breastfeeding women in rural and indigenous communities in 10 federal states.

260. Other social development programmes focus on social solidarity for community cooperation, food rations, public kitchens, and the DIF integrated services units. The food aid programmes include subsidized tortilla (CONASUPO) and subsidized industrially processed milk (LICONSA).

261. There are other specific programmes such as the nutrition, food and health programme, the Sierra Tarahumara food aid programme, the social assistance centres in the Federal District and five federal states, the school meals programme in Chiapas, the Open Classroom in Oaxaca, and the SSA-DIF programme for healthy and strong growth, which operates in the Federal District.

262. In addition, there are programmes operated by public sector agencies, either independently or in coordination with mass organizations. Attention should also be drawn to the programmes for people affected by disasters or emergency situations, which are designed to ensure a supply of essential items.

263. A total of 16 million persons is reached by these programmes, excluding the tortilla subsidy programme. Food rations are provided for 1.7 million people (DIF, INI, Niños en Solidaridad); family food stores provide aid to 8.8 million people (Niños en Solidaridad, INI, DIF); and other programmes reach a further 1.3 million (Ministries of Health, Public Education, Agriculture and Water Resources, CONASUPO, LICONSA).

264. These figures are far in excess of the population estimated by several studies to be suffering from malnutrition. However, the fact that the malnutrition indices persist may be connected with fragmentation and duplication in the distribution of aid and with provision of aid to groups which do not necessarily need it, as well as with the difficulty of reaching marginalized groups in some areas, in contrast to the preferential treatment provided in urban areas.

Data broken down by geographical area on the extent to which hunger and/or malnutrition exist in Mexico

265. Studies point to the existence of regional inequalities: in Mexico City, for example, the proportion of undernourished children identified in the 1988 national nutrition survey was 17.9 per cent, while in the south-east the proportion was double that figure at 35.5 per cent; in the south-east chronic malnutrition was 10 times more common at 4.1 per cent than in Mexico City (0.4 per cent) and 4.5 times more common than in the northern region. The obesity rate among children under five was 4.4 per cent, with the highest incidence in the north of the country.

266. The national food survey, which covered 219 rural localities with fewer than 10,000 inhabitants, found that 44.3 per cent of them showed some degree of malnutrition, with the highest incidence again in the south with 63.9 per cent, followed by the south-east with 58.8 per cent and the Gulf region with 53.5 per cent. This survey found moderate and severe malnutrition to be commonest in the

south followed by the south-east, while the northern region had the lowest malnutrition figures.

267. The national food survey of rural areas carried out in 1989 (ENAL 1989) found that 60 per cent of the population was getting less than half the recommended amount of vitamin C and 75 per cent less than half the recommended amount of retinol; it also found iron and calcium deficits.

268. With regard to low birth-weight, in 1991 the National Action Programme for children reported, on the basis of a survey of 1,192,568 live births in various health institutions, that 6.5 per cent of the babies had low birth-weight (below 2.5 kg). It also found significant differences between the regions of the country: in the south and south-east the incidence of low birth-weight was 2.2 times higher than in the north of the country.

269. Where micronutrients are concerned, there are some areas in which iodine deficiency is obvious in the diet, mainly when the earth is poor in this mineral; this is a frequent cause of mental retardation and goitre and is also associated with reproductive problems. Young and adolescent girls and adult women are particularly vulnerable to this deficiency.

270. The Ministry of Health has carried out a number of studies:

(a) A survey carried out in 1991 by the Department of Preventive Medicine in 25 municipalities in the State of Hidalgo found a 6 per cent incidence of goitre, and the problem was a major one in 16.7 per cent of the municipalities.

(b) A survey to identify areas with iodine deficiency (ENDEYO 1994) carried out by the Department of Epidemiology in 13 federal states found endemic goitre in more than 9 per cent of the municipalities studied, with the highest incidence in Cherán, Michoacán (21 per cent), La Perla, Veracruz (17 per cent), and Culiacán, Sinaloa (16 per cent);

(c) The ENAL 89 survey coordinated by the Salvador Zubirán National Nutrition Institute showed that the average intake of vitamin A by children under five fluctuated between 83 and 400mg of retinol. And the national nutrition survey (ENN 88) in the metropolitan area of Mexico City and the northern region of the country found intake of vitamin A in excess of the recommended 500mg, while in the central and southern regions 53 per cent of children exhibited concentrations below the recommended level.

271. Infant mortality due to poor nutrition has undergone a major decline (42.6 per cent): in 1990 the rate was 97 per 100,000 registered live births, as against 55.7 in 1993. During this period this cause of death has remained in fifth place for the whole country. In some states it has become less common; for example, in Nuevo León it occupied fifth place in 1990 but by 1993 had dropped to twelfth place.

272. In 1988 there were 457 deaths due to nutritional deficits, a rate of 2.21 per 100,000 children aged 5 to 14, occupying fifth place as cause of death; in 1994 this figure had fallen to 57 per cent and eighth place, with a rate of 0.9, i.e. a drop of 59.3 per cent.

273. In the 15-64 age group there were 1,789 deaths due to nutritional deficits in 1988, a rate of 3.7 per 100,000. By 1994 this figure had fallen to 2.7 (27 per cent) and to fifteenth place from the thirteenth place which it occupied in 1988.

274. Among the elderly this cause of death occupied seventh place in 1988, i.e. 6,457 deaths and a rate of 212.4 per 100,000 persons aged 65 and older; as in other population groups the rate had declined by 1994, to 25.7 per cent (157.8 per 100,000), and the number of registered deaths fell to 5,795 (twelfth place).

275. For the whole country in 1994 nutritional deficits occupied twelfth place as cause of death, with 9,585 recorded deaths and a rate of 106 per 100,000 inhabitants. This cause accounted for 2.3 per cent of all deaths. The most seriously affected groups were children aged under five and the elderly.

276. Anaemia, another problem connected with malnutrition, was among the 20 principal causes of death among children aged under five in 1990-1994, with a total of 2,145 deaths. In 1995 the rate among children aged under 12 months was 7.9 per 100,000 (thirteenth place); and among children aged one to four years the rate was 2.2 per 100,000 (tenth place).

277. According to the 1988 national nutrition survey, 41.9 per cent of under-fives, judged by the weight/age indicator, exhibited some form of malnutrition; this means that four million children were undernourished. According to the weight/height and height/age criteria, 29.2 per cent of children exhibited some degree of malnutrition.

Situation of especially vulnerable or disadvantaged groups, and differences in the situation of men and women

278. As just mentioned, it is the rural population which is vulnerable to food and nutrition problems; this has been established by indicators of poverty and marginalization, child mortality and morbidity, weight and height, and school drop-outs and repeated years - the means used to identify regions where there are children and families with nutritional deficits requiring urgent attention.

279. Analysis of these indicators has identified the municipalities and regions requiring priority attention, in particular regions with a large indigenous, farming and rural population of difficult access and with very deeply rooted cultural traditions in matters of health and diet, especially with respect to the distribution of food in the family, where the father and sons take precedence over the mother and daughters.

280. The National Institute for Indigenous Peoples (INI) reports that in 1994, according to research carried out in 15 federal states, indigenous children aged under five had high levels of malnutrition as measured by the weight/age indicator, ranging from 70 per cent in Oaxaca and Quintana Roo to 84 per cent in Yucatán. Iodine deficiency is found mainly in isolated rural communities with low levels of socio-economic development and it affects mainly women and children.

281. The 1995 urban food and nutrition survey of 1,921 families in the metropolitan area of Mexico City found, according to the weight/height

indicator, a malnutrition rate of 20.4 per cent among children under five in the low socio-economic stratum; it was slightly higher among girls (21.5 per cent) than among boys (19.4 per cent).

282. In order to improve the nutrition of the most vulnerable population groups, an important institutional effort is being made through the family food and nutrition programme (PANF) to coordinate education, health and food measures and attend to the needs of children under five and children in preschool and primary education, as well as of families living in extreme poverty in indigenous communities, rural areas and marginalized urban areas.

283. The provision of food and nutrition care for the population groups with the biggest socio-economic deficits remains an imperative in the management of resources and the work of the agencies and offices involved in the family food and nutrition programme. Of the total of programmed resources the biggest amounts have been allocated to the "Niños de Solidaridad", subsidized milk, subsidized tortilla, and subsidized provisions of the CONASUPO distribution system (DICONSA).

Training and dissemination of knowledge about the principles of nutrition

284. In 1995 the statistics of three health institutions showed that 175,185 educational measures had been carried out; they were focused mainly on breastfeeding, malnutrition, micronutrient deficiencies and prevention of chronic-degenerative diseases and provided information to 4.2 million persons, a figure which is expected to increase with the standardization of methodologies in the information systems of health-sector institutions and correction of the under-recording of these activities.

285. Training was also provided for 213,108 mothers of families as health agents and extension workers; they were incorporated as a potential resource in the work of detecting malnutrition and providing dietary guidance. In addition, training was provided for health workers in seven federal states in the preparation and use of processed-maize baby food. The mass media have been involved on a wide scale, and the messages put out have made a big contribution to the promotion of breastfeeding, consumption of fresh and seasonal foods, hygienic preparation of food, etc. Food and nutrition topics have been included in the various educational systems and in textbooks; every year training is provided for an average of 1.5 million mothers and about 90,000 teachers in the preschool system.

286. The National Health Service is promoting strategies to expand and strengthen the cover of the food and nutrition guidance measures through coordination with other sectors, including the social communication sector.

287. At present an effort is being made to establish standardized criteria for provision of dietary guidance to the population and production of teaching materials to support the training of health personnel and provide guidance to the general public.

Agrarian reform measures to promote food security

288. Agrarian reform is a tool of the State's policy of bringing the conditions of rural land ownership into line with the nation's needs with respect to land tenure and agricultural production. The new agrarian strategy is designed to ensure harmony, certainty and balance among the various forms of rural ownership; it keeps in place the prohibition on the monopolistic acquisition of land and contributes to the integrated development of the new farming settlements and of their relations with society and the economy as a whole in the production and marketing of food.

289. The National Development Plan 1995-2000 stipulates that the consolidation of the agrarian reform, which is not a synonym for redistribution of farming land, will be a central means of promoting balanced regional development and the well-being of rural groups; the Plan also addresses social organization, modernization of production, credit supports, and sustainable development with justice and equity.

290. The Agrarian Sector Programme 1995-2000 was formulated in order to implement these proposals; it spells out the policies for institutional action in the sector, facilitates coordination with the state and municipal governments, and encourages the participation of the social and private sectors. This programme is based on the constitutional mandate which obliges the State to regulate land ownership in accordance with the public interest and social good. It contributes to the country's territorial integrity and food security and to national sovereignty, as well as helping to establish a balance between the measures to promote economic growth and social justice.

291. The agrarian policy of the present Government is designed to consolidate the agrarian reform, combat poverty, and facilitate the development of the new farming settlements and the administrative modernization of the farm sector. One precondition for incorporating the farming settlements in development and ensuring social peace and tranquillity is the delivery of legal certainty in land ownership and guarantees of the free exercise of land rights. An effort is also being made to strengthen the productive capacity of the rural population in order to improve their living standards, consolidate their social representation arrangements, and guarantee the food supply of the whole of Mexico's population.

Statistical information about the housing situation

292. According to the findings of the 1995 population and housing censuses carried out by the Government and the National Statistics, Geography and Information Technology Institute, Mexico has 19,412,123 occupied private and collective housing units, with an average of 4.7 inhabitants per unit.

Information on groups in a vulnerable and disadvantaged situation with regard to housing; number of homeless individuals and families

293. The groups in a vulnerable situation with respect to housing consist of people who emigrate from rural areas to the big towns and the inhabitants of the farming settlements, who on occasions have invaded private property and ejido land unsuitable for the construction of housing - lacking urban services and of difficult access - located in built-up areas. The likelihood of these groups

losing their housing is increased by the fact that they may be ejected from property and land occupied illegally and that they are legally defenceless.

294. Another vulnerable group is made up of the families which in recent years have acquired housing by means of a bank loan and have encountered problems in keeping up the repayments, so that they are at risk of losing their homes. As a result of the high interest rates and shortage of financial resources, in 1995 the Federal Government, in conjunction with the Banking Association of Mexico, formulated a programme of support for people in arrears on the repayment of housing loans, in order to help them by rescheduling their loans as "investment units" (UDIS) to facilitate the service of their debts, extending the terms of the loans by up to 30 years, and establishing real interest rates of a maximum of 8.75 to 10 per cent a year.

295. In 1995 the national housing deficit was 4.6 million units; it has thus been necessary during the term of office of President Zedillo to increase the supply of housing in order to realise the right of all Mexican families to appropriate and decent housing; this is being done by encouraging increased participation by the private and social sectors and responding to the needs of lower-income families by providing appropriate financing, marketing and title arrangements.

Number of individuals and families inadequately housed and without access to basic amenities

296. According to the findings of the 1995 population and housing censuses, the situation of the 19,361,472 privately occupied units with respect to piped water, drainage and electricity was as follows:

Piped water	16 576 470
within the home	10 533 834
outside the home but on the plot	5 741 848
public tap or hydrant	300 788
Without piped water	2 764 553
With drainage	14 471 206
connected to public system	11 612 312
connected to septic tank	2 283 354
drainage to river, lake or sea	203 685
drainage to crevice or ravine	371 855
No drainage	4 856 172
With electricity	18 054 384
Without electricity	1 289 305
With piped water, drainage and electricity	13 657 482

With only two services	3 221 689
piped water and drainage	97 901
piped water and electricity	2 490 481
drainage and electricity	633 307
With only one service	1 686 236
piped water	330 606
drainage	82 516
electricity	1 273 114
No services	787 048

297. In 1994 more than 80 per cent of housing units had a bathroom and more than 90 per cent a kitchen. Annex VII contains tables giving statistics on private units up to 1990, broken down according to the main material of the roof and the main material of the floors and walls, and by number of rooms and number of occupants.

Laws affecting the right to housing, including provisions on expropriation and compensation

298. The Constitution of the United Mexican States establishes the right to housing in the fifth paragraph of article 4:

> "Every family has the right to enjoy decent and proper housing. The law shall establish the necessary instruments and supports for reaching this goal."

299. On the subject of expropriation and compensation, article 27 of the Constitution states:

> "VI. The states and the Federal District, together with municipalities throughout the Republic, shall have full capacity to acquire and own all real estate necessary for the provision of public services.
>
> "The laws of the Federation and of the states in their respective jurisdictions shall determine the cases in which it is in the public interest to occupy private property, and in accordance with such laws the administrative authority shall make the corresponding declaration. The price fixed as compensation for the expropriated property shall be based on its valuation for tax purposes as shown in the records of the property-register or tax collection offices, for this is the value which has been stated by the owner or merely accepted by him tacitly by paying his taxes on this basis. Any increase or decrease in the value of private property due to improvements or deteriorations occurring subsequent to the date of the valuation for tax purposes shall be the only value subject to expert opinion and judicial decision. This same procedure shall be followed in the case of property whose value has not been established by the above-mentioned offices.
>
> "Any action which should be taken by the Nation pursuant to the provisions of the present article shall be effected by judicial

proceedings; but as part of such proceedings and by order of the corresponding courts, which shall be issued within a time-limit of one month, the administrative authorities may proceed from that time to occupy, administer, auction or sell the land or waters in question and all their accessories without any possibility of revocation of what has been done by the said authorities prior to the issue of an executory judgement...;"

Percentage of the national budget allocated to housing

300. Total investment in housing between 1992 and 1995 was as follows:

1992	30,674.8 million pesos
1993	35,283.5 million pesos
1994	37,588.1 million pesos
1995	29,339.2 million pesos

301. Despite the adverse economic and financial conditions, the strategies set out in the National Development Plan 1995-2000 and in the Special Housing and Employment Programme 1995-2000 have secured progress in the deregulation of the housing sector: reduction of taxes and simplification of the legal procedures and requirements for construction; consolidation of the housing institutions as predominantly financial bodies; increase of the supply of land suitable for housing; and rescheduling of mortgages granted in previous years in order to ease the financial burden on the mortgagees.

302. Despite the shortage of financial resources in 1995, it proved possible to maintain the level of housing construction: under the national housing construction programme the sponsoring agencies, together with the commercial and development banking system, financed 287,256 loans for a similar number of families. This meant an investment of 23.419 million pesos for the construction of 258,117 housing units; improvement of 104,599 units; and provision of 24,540 plots equipped with services; other kinds of loans were also granted. Together, these measures benefited some 1.3 million persons.

303. The Institute of the National Housing Fund for Workers (INFONAVIT), the ISSSTE Housing Fund (FOVISSSTE), the Housing Finance Fund (FOVI), and the National Social Housing Fund (FONHAPO) provided 55.9 per cent of all housing loans, commercial banks 9.4 per cent, the National Bank for Public Works and Services (BANOBRAS) 8.3 per cent, the Housing and Social and Urban Development Trust (FIVIDESU) 0.9 per cent, and various other bodies 25.5 per cent. Annex VIII contains a table showing the loan and investment activities of housing finance agencies between 1989 and 1995.

Measures taken to encourage the development of small and intermediate urban centres, especially at the rural level

304. In order to reduce the existing imbalances in education, health, infrastructure and degree of industrialization in the various regions of the country, the National Development Plan 1995-2000 proposes two basic objectives: to promote the nation-wide regulation of economic activities and population distribution in accordance with the existing potential of towns and regions; and

to encourage the orderly growth of towns in accordance with the existing urban development regulations and the principles of ecological balance.

305. The policy of redistributing the country's economic and social activities is designed primarily to promote the orderly development of the towns and tackle the accumulated deficits in the provision of public services and urban infrastructure in intermediate and small towns, thus checking the excessive growth of the four big metropolitan areas (Mexico City, Monterey, Guadalajara and Puebla), while at the same time supporting them as the main metropolitan areas by improving their production and social infrastructures and ensuring the orderly growth of their surrounding regions. Measures will be introduced under this policy to reorganize land use and promote urban development, fundamentally by means of the 100 Towns Programme, modernization of the land registry system to provide more municipal funds, and adaptation of legislation to bring local regulations into line with the federal ones.

306. In order to encourage the orderly and sustained growth of intermediate towns, the identification and regulation of land suitable for these purposes will be continued, so as to generate a supply of land for low-income applicants and prevent the disorderly invasion of unsuitable ejido land. Action is also being taken to install infrastructure, and encouragement has been given to the participation of private individuals in the establishment and operation of public services, always bearing in mind the need for environmental balance as the strategy's invariable principle.

307. The 100 Towns Programme is the main instrument for achieving balanced and sustainable urban growth, improving the quality of urban life, and controlling the expansion of the big metropolitan areas. Action is being taken to consolidate an urban network of 116 intermediate and small towns of strategic importance for national and regional development by means of regulation of land use and urban management and by controlling urban land and reserved land, securing the economic and social revival of town centres, and improving urban roads and transport, always bearing in mind the environmental aspects.

308. In order to invest local authorities with greater independence, in 1995 the programme on regulation of land use and urban management gave legal effect to 11 of the 116 urban development plans for the towns covered by the 100 Towns Programme, thereby increasing to 99 the number of such instruments currently in force, covering 85.3 per cent of the total of 116 intermediate and small towns of strategic importance for national development by the end of 1995.

Programmes and policies pursued in connection with the adoption of a "national housing strategy" to overcome the existing deficiencies in the exercise of the right to housing

309. In order to give effect to the right of all Mexican families to appropriate and decent housing and tackle the country's housing deficit, it has been necessary, as mentioned earlier, to increase the supply of housing by promoting broader participation by the private and social sectors and responding to the demand from low-income families with suitable financing, marketing and title arrangements.

310. Under its regular programme FOVI has extended its personal-loan guarantee to the bridging loans provided by the banking system, thus enabling borrowers to obtain better repayment terms than those usually offered by the banks. In order to continue supporting the lower-income population, for which its loans are intended, it is financing purchases up to 130 minimum monthly wages in the Federal District and has suspended its support for more expensive housing; and it is covering the financial intermediation costs for less expensive housing from the Fund in order to reduce the costs to the mortgagees. FOVI issues rights to long-term loans for the purchase of housing, giving priority to the towns in the interior of the country and to a lesser extent to the metropolitan areas of Mexico City, Monterey and Guadalajara, in order to attain the objective of decentralization and deconcentration of population and economic activity.

311. FONHAPO caters for families with incomes of up to 2.5 minimum wages. In addition, INFONAVIT and FOVISSSTE make large investments in loans for the purchase and improvement of housing, in coordination with BANOBRAS.

312. In order to consolidate the housing finance agencies as predominantly financial institutions, the necessary changes have been made to improve their self-sufficiency and redirect them towards the provision of a bigger long-term flow of finance, with competitive intermediation costs and diversification of financing schemes; these innovations will play a central role in the modernization of the administrative and legal structures of the housing agencies.

313. The housing sub-account of the retirement savings system (SAR) has become one of FONAVIT's main sources of funding. In addition, the Ministry of Social Development (SEDESOL) promotes savings schemes to enable families, mainly low-income ones, to obtain loans for the purchase or improvement of housing, by means of collaboration agreements with FOVI, INFONAVIT, FOVISSSTE and FONHAPO.

314. The deregulation and tax relief measures produced a reduction in indirect state and municipal costs associated with the construction and purchase of low-cost housing. The authorization procedures for housing projects have also been streamlined.

315. The increase of the supply of land for housing has required the creation of areas of reserved land suitable for building. This is a permanent activity of the federal, state and municipal housing agencies carried on within a framework or orderly and sustainable urban development.

316. The effort to modernize the public property registries is continuing, with the introduction of measures to adapt the legal, administrative and technical framework so as to provide legal certainty of title to real estate and facilitate an appropriate land use policy.

317. Encouragement of self-build housing and housing improvements is one of the strategic means of boosting housing construction. Under the unsecured self-build loan programme, funded by contributions from the Federal Government, the states, the participants, and bank loans, many improvements have been made to houses and apartments, for the benefit of some 100,000 families.

318. Assistance and guidance has been provided for builders and self-builders to help them with technical matters and create temporary jobs. In addition, a comprehensive housing handbook was produced in 1994, dealing with the technical and financial aspects and providing support for the self-build programme; it has been distributed to housing agencies and the federal states.

319. The Government has agreed various preferential marketing and supply arrangements with the main industrial producers of building materials, including large discounts for builders and self-builders. An information programme about these preferential terms is also being carried out in conjunction with the Federal Office for Legal Protection of the Consumer (PROFECO), manufacturers, distributors and other agents involved in housing construction.

320. In collaboration with PROFECO and the National Chamber of Industry and Construction, a national pricing system is being introduced in order to provide information about changes in construction material costs; and the prices information programme "Whose Who", which operates in 26 federal states, monitors 1,535 materials in 859 distributors in 73 towns, providing information for consumers about where good-quality materials can be obtained at lower prices.

321. Lastly, five official Mexican standards (NOM) have been established in order to improve housing construction and its regulation, inspection and certification. In 1995, in collaboration with other agencies, the Ministry of Social Development carried out 15 NOM projects on building materials and products.

Changes in policies, laws and practices affecting the right to housing

322. None.

Article 12

Information on the physical and mental health of the population, in respect of both the aggregate and the different groups within society

323. Improvements have been made in the people's health and in the services provided by the relevant institutions, but many different challenges remain. Recent years have seen reductions in the general, maternal and infant mortality rates, together with a slight increase in life expectancy at birth.

324. According to the 1994 health statistics, the following are the main causes of illness requiring hospitalization as diagnosed in the National Health Service:

Infectious intestinal diseases	75,405 cases
Malignant tumours	92,499 cases
Diabetes mellitus	87,927 cases
Circulatory diseases	150,963 cases
Abdominal hernia	88,999 cases
Diseases of the urinary tract	151,970 cases
Injuries and poison	259,610 cases

325. The commonest ailments usually not requiring hospital treatment are infectious diseases, mainly of the respiratory and digestive systems, which affect children most of all.

326. With regard to mental health, it is estimated on the basis of the available information that the overall incidence of mental problems among people aged 18 to 64 is approximately 20 per cent, mainly depression and anxiety and alcohol addiction. The incidence of schizophrenic disorders is 1 to 2 per cent. It is estimated that about 9 per cent of the population suffers from mental subnormality and that 2 to 4 per cent have learning difficulties and a similar number language difficulties. These problems are aggravated by the underuse of the services and the increase in risk factors such as malnutrition, the economic crisis and the increased use of tranquilizers and psychotropic substances, mainly by young people.

Information about the national health policy and the measures taken to implement primary health care

327. The social policy of any country which aspires to full development must focus on the constant quest for the well-being, development and survival of children. The political will of the Mexican Government is committed to Mexico's boys and girls. A country which aspires to improve itself can do so only if it has a healthy and educated population solidly rooted in its values. Accordingly, the measures taken by the Government and society in favour of children will result in improved living conditions for the present generation and for the generations of citizens, both men and women, which will make up the Mexico of the future.

328. Although the National Health Service has achieved indisputable successes, it is unlikely in its present form of operation and organization to be able to correct the accumulated deficits and satisfy the demand of its users for better and more efficient services.

329. In terms of formal access to medical care in public institutions, there are two groups of users: those affiliated to the social security system (about 45 million) and those who are not insured in this way (about 35 million). The first group includes the working population of the formal sector of the economy. The uninsured group includes people who do not participate in the formal sector of the economy, mainly rural dwellers and the self-employed middle classes, who are not protected and have not taken out private medical insurance. Most members of this group use the public services offered by the Ministry of Health, the IMSS Solidarity Programme, and the state and municipal services. There is a third group, which may have access to social security or not, which traditionally uses private medical services.

Ministry of Health

330. The severest problems of poverty are found in remote rural areas, where poor communications impose high costs on access to education and health services, on reception of basic information, and on opportunities of employment in other regions. In these areas the specific strategy is to reach out directly to families living in extreme poverty, through the basic package of health services (PBSS), which must be made available to the whole population to meet

priority needs. It includes practicable, low-cost and high-impact measures. Implementation of this package is the fundamental strategy for expanding the cover of the health services. It includes specific promotion, prevention, treatment and rehabilitation measures aimed at the individual, the family, the community and the environment.

331. One of the measures is the monitoring of child nutrition and growth in order to provide periodic individual assessments of the nutritional state of children under five, as a means of enhancing the physical growth and development of children from the womb through the first years of life, by recourse to weight, height and age indicators and psychomotor development parameters. These periodic assessments help to identify in good time problems of low birth-weight, growth and development, and they facilitate preventive action to ensure that all children grow and develop to the full. These measures are backed up by dietary and nutritional guidance for mothers and the provision of micronutrients during the national health weeks.

332. The "Health Begins at Home" programme began in May 1989 and during the eight years of its existence has recruited 132,210 health agents and 1,288,453 extension workers, who are distributed throughout 223 health areas in the 32 federal states. This programme provides services for 1,420,663 families and more than a million people, a high proportion of whom live in rural areas and marginalized areas of the big towns, where extreme poverty predominates. The present rate of cover is 8 per cent of the total population, which means one agent or worker for every 13 families, while the target is a cover of one agent or worker for every six families. The effort to increase the programme's cover is encountering new challenges, for it is now focusing on smaller and more remote communities, which makes training difficult.

Mexican Social Security Institute

333. The Mexican Social Security Institute (IMSS) provides medical services for 40 per cent of the country's population. July 1997 will see the entry into force of a family health insurance scheme, under which, on the basis of a fixed contribution, any unwaged person and his or her family members will be entitled to IMSS medical services; this development represents progress towards universal cover on an equitable basis.

334. In order to guarantee medical care and services for all sick persons, the Institute has the following facilities, strategically distributed throughout the country:

(a) 1,496 family medicine units (first level of care), which provide out-patient medical care and care in the home for 85 per cent of the demand;

(b) 217 local general hospitals (second level), which deal with the commonest health problems of moderate complexity requiring hospitalization and diagnostic, surgical and care services. There is also a 24-hour emergency service which operates seven days a week;

(c) 41 specialist hospitals for the treatment of complicated and uncommon ailments requiring sophisticated technology. In addition to providing

treatment, these hospitals train human resources for the health services and conduct biomedical, clinical and socio-medical research.

Institutional health programme as a strategy for meeting international commitments with respect to primary health care and health promotion

335. As a response to demand for health care from the qualifying population and in fulfilment of commitments to international bodies, i.e. in order to develop primary health care strategies based on the active and responsible participation of the community, with the objective of achieving "Health for all by the year 2000", IMSS has formulated programmes focused on health education and promotion, including the institutional health promotion programme, which has been operating in the Institute since 1985.

336. This programme is intended to help to improve the quality of life and the health standards of the qualifying population by identifying and preventing risk factors and health problems by means of strategies to promote the acquisition of healthy habits and lifestyles.

337. The operation of the programme is coordinated within and between institutions, with a view to encouraging community participation by means of awareness-raising activities, creation of committees and help groups, and training of health workers and extension workers. The purpose of these activities is to facilitate the joint implementation of the strategies of health intervention, education for health and prevention of the main diseases found in the community, in order to encourage self-care and independent management.

338. The health education strategy provides the guidelines for the programme's main activities:

Community participation;
Information and training;
Identification and prevention of risk factors;
Improved diet;
Protection and improvement of family incomes;
Environmental improvements;
Health in the home, school and workplace and on the public roads;
Mental health and proper use of leisure time.

339. The aim is to promote a new "health culture" among the people on the basis of respect for their ethnic, cultural and moral values. The programme covers the following groups:

(a) Qualifying persons in the community, through the programmes on a basic school health package, health promotion before addiction, environmental health, and preventive medicine and health education for pensioners and retirees;

(b) Workers in enterprises with which agreements have been concluded for operation of the activities of the institutional health promotion programme;

(c) Employees of IMSS.

340. The programme's organization and operation are based on the Institute's own structure, with the coordinated participation of various other agencies carrying out health promotion measures; this coordinated participation is achieved through the Institutional Committee on Health Promotion, which is made up of representatives of the Institute's regulatory and operational units and of the community.

Cover in 1996

Population covered by the programme	10,700,154
Active communities implementing measures	40,225

Community participation

Active community committees	15,626
Voluntary workers	110,493
IMSS voluntary social workers	12,955
Information centres	4,880
Help and self-help groups	17,004

Identification of risk factors and health promotion measures

Risk factor questionnaires sent out	955,471
Beneficiaries of health promotion measures	7,488,509

Targeted activities

Improved diet	214,957
Protection and improvement of family incomes	20,353
Environmental improvements	776,991
Health and safety: school, home, workplace and public roads	373,026
Mental health and proper use of leisure time	250,527

Information and guidance for the public about risk factors and health problems, and health measures of the priority programmes and programmes for vulnerable groups, provided on an individual, family and community basis and through the mass media

Talks	471,265
Attendance	6,697,720
Interviews	1,405,845
Information materials distributed	4,029,296

Training provided for the staff of institutions and volunteers for the activities described above

Courses	32,125
Numbers trained	454,544

341. The most relevant measures for consolidation of the programme include:

(a) Reorientation of the health education process in order to encourage the active participation of the population and achieve the following goals:

(i) To develop a new health culture with a pro-active approach;

(ii) To promote changes in behaviour and attitudes which will improve health and the proper use of the services;

(iii) To reinforce positive health behaviour and environmental health;

(b) Consolidation of community participation in order to improve educational activities and training in independent management, and secure optimum use of the resources allocated to the programme;

(c) Expansion of the training of the staff of the institutions and of volunteers with a view to carrying out health education measures by means of open and distance training systems, including practical workshops using participatory methods;

(d) Simplification and streamlining of the operation of the programme.

IMSS Solidarity Programme

342. The origins of the IMSS Solidarity Programme go back to 1973 and the amendment of the Social Security Act, which empowered IMSS to extend its cover to people unable to pay for membership of the existing insurance schemes by creating the National Programme of Social Solidarity for Community Cooperation.

343. The Programme operates with funds from the Federal Government and is designed to improve the health of the marginalized rural population through a network of services providing comprehensive, timely, efficient and good-quality services based on a model of primary care which encourages voluntary, organized and sustained participation on the basis of identification of the commonest health risks and problems (health diagnosis), planning and implementation of individual measures (health care), collective measures to tackle the risks and problems, and periodic evaluation of the results.

344. Since 1983 the Programme has been operating a comprehensive health care model, based on the concept of primary care, which facilitates cooperation between health personnel and the community in the solution of the main health problems of the local people. The use of this model has facilitated increased community participation in health care and the provision of good-quality, timely and efficient services, and it is producing improvements in people's health.

345. In order to secure the people's cooperation in improving their health on the basis of joint responsibility, encouragement is given to the formation of health and solidarity committees and recruitment of volunteer social workers and rural health workers; encouragement is also given to traditional medicine, in particular the services of traditional midwives in view of their important contribution to the health of mothers and children.

346. The health and solidarity committees are local management bodies whose members are elected by the community. They usually have a chairman and officers responsible for health, sanitation, nutrition and education. Their voluntary work is supported by guidance and advice from the health team. These committees constitute the main link between the teams and the people.

347. Community participation is the main distinguishing feature of the IMSS Solidarity Programme, and the community is the channel for all the activities carried out by the health teams, which convene, organize and train the people; according to reliable data for October 1996, there are 14,911 health committees, 10,522 rural health workers, 121,379 voluntary social workers, 7,971 traditional midwives, and 4,280 traditional therapists.

348. All these volunteers receive continual training from the health teams in the community and in the facilities of the medical unit, as well as by means of the periodic visits made to the communities and the meetings held for updating of information and exchange of experience. In 1996, 30,374 persons attended the 960 meetings of this kind.

349. Encouragement has been given to meetings with municipal and local authorities and with community volunteers with a view to pooling efforts and making joint analyses of health problems; as a result, the community authorities and representatives conclude agreements and enter into commitments to boost community resources and take advantage of institutional measures for municipal development. In 1996 the 148 meetings were attended by representatives of 452 municipalities, and agreement was reached on 69,810 infrastructure works to combat poverty, at an estimated cost of 91 million pesos, to which the Ministry of Social Development and the state governments have contributed.

350. In 1996 the Programme introduced an educational communication model to be operated with and for the people with a view to improving reproductive health, nutrition, and environmental health. This education strategy is carried out by voluntary groups which use their own experience to transmit health knowledge in their communities. The model has three components: use of the mass media, holding of participatory group workshops, and rural advice services.

351. The use of this model has resulted in the distribution to volunteer groups in rural communities of 65,500 reproductive health binders, 17,000 contraceptive demonstration kits, 70,000 posters and 534 videos to support the reproductive health activities. This means that almost half of the volunteers already have teaching materials for the promotion of health and provision of advice on mother and child health, nutrition, and environmental health, with a view to securing informed and participatory cooperation between the health services and the community.

352. The Programme has continued to allocate funds for improvement of housing, monitoring and treatment of water, food production, cultivation of vegetable gardens, environmental conservation, purchase of tools, etc. The following results were achieved in 1996: 1,530,785 families carried out measures connected with the monitoring and treatment of drinking water; 1,340,281 took action with respect to the hygienic disposal of human excreta and 1,568,902 for the proper disposal of other wastes; and 5,951,045 took action to control harmful animals which carry diseases. In order to increase the family food supply, further encouragement was given to the establishment of family vegetable plots and the raising of small animals, with a view to using the produce to improve the family diet.

353. In 1996, 695,310 housing improvements were carried out, including work on floors, roofs and walls, repair and whitewashing of outer surfaces, installation of windows, partitioning of rooms, and installation of raised beds and fireplaces, all of which creates a healthier environment.

354. There is no doubt that the training of volunteers has helped to increase the cover of the services, improve the epidemiological monitoring of communicable diseases, and attract more people to the medical units and rural hospitals for treatment; progress is thus being made towards the ambitious goal of achieving self-care.

355. In order to carry out the Government's policy of giving priority attention to the poorest members of the indigenous population and implement the ILO Convention concerning Indigenous and Tribal Peoples in Independent Countries, which has been ratified by Mexico, the IMSS Solidarity Programme has stepped up the measures designed to improve the health of families, in agreement with the ethnic groups. Here attention must be drawn to the updating of the collaboration agreement signed with the National Institute for Indigenous Peoples.

356. The 18 states in which the Programme operates have 4,965,179 indigenous inhabitants, 2,935,642 of whom are catered for under the Programme by means of an infrastructure of 877 rural medical units and 13 rural hospitals. These services are extended to the indigenous Guatemalan refugees in Chiapas and Campeche and to the 32,914 schoolchildren attending the National Institute's 361 centres located in the areas covered by the Programme; the children in this priority group were given medical examinations, their nutritional state was assessed and their ailments identified, and they received individual preventive dental treatment.

357. All the centres used the integrated health care model, and the children participated in sanitation and food production projects; they all received a full set of vaccinations.

Social Security and Services Institute for State Workers

358. ISSSTE has a number of primary health care programmes, including a series of techniques from which was derived a set of basic measures now incorporated in the institutional health promotion programme, in accordance with the general policies of the National Health Service. The Institute provides primary health care services designed to protect and maintain the health of its members and

their qualifying family members and, in general, to promote higher living standards.

359. The following are the basic ISSSTE primary health care activities: education for health; promotion of the hygienic handling of food and water; nutrition; basic sanitation; mother and child services; family planning; oral health; immunization against preventable diseases; prevention and treatment of endemic local diseases; and appropriate treatment of common diseases and injuries.

360. This primary health care programme operates in the following facilities: first-level medical units; administrative offices; shops; schools, child welfare and development centres; sports centres; governmental employment centres; and homes of the beneficiaries.

361. The persons entitled to benefit under this programme are the members of ISSSTE, with particular emphasis on the priority groups: children, pregnant women, retirees and pensioners, the disabled and high-risk workers. The general public is also covered in the sectoral programmes in which the Institute participates: the national vaccination programme; the national programme to control diarrhoeal diseases and acute respiratory infections in children under five; the national family planning programme, etc.

Measures taken by the Government to improve environmental hygiene

362. The prevention of environmental pollution has been a constant concern of the Government of Mexico and was embodied in article 27 of the 1917 Constitution, which laid the bases for the development of an environmental policy by stipulating that natural resources must be used in the national interest. However, Mexico's environmental policy goes back little more than two decades to the creation in the 1970s of the Environmental Protection Agency under the Ministry of Public Health and Welfare, and its legal framework is provided by the 1971 Federal Environmental Pollution Prevention and Control Act.

363. A major step was taken in the consolidation of public measures in this area, which gained legitimacy from recognition of the need for a strategy to tackle environmental degradation and improve the environmental quality of development, with the creation in 1994 of the Ministry of Environment, Natural Resources and Fisheries.

364. By creating this Ministry the present Government is making an effort to bring together the functions of environmental and natural resource protection, which were dispersed among several ministries, and to establish an integrated agency responsible for the orderly use of natural resources and for environmental protection for the specific purpose of sustainable development.

365. Air pollution is a problem in the country's big metropolitan areas, and it has become most critical in the metropolitan area of the Valle de México, where the Federal District is located. Various measures have been taken here in recent years to check the deterioration of the air quality; these measures have produced positive results, for example by bringing the new Mexican petrol grades up to the international standards - lead-free and with limits on the content of olefins, aromatics and benzine and on vapour pressure; this has checked the

increase in air pollutants such as lead, sulphur dioxide and total suspended particles.

366. Where industrial activity is concerned, the policy of low energy prices encouraged the intensive and wasteful use of energy in recent decades. This factor, combined with low transport costs, the system of external protection and subsidies, the promotion of road transport of goods and passengers to the detriment of rail transport, and the incentive implicit in the concentration of industry, not to mention the absence of an effective and clearly defined environmental policy, set the scene for the rapid rise in the pollution indicators, especially in the Valle de México.

367. During the present decade the Government has encouraged a new industrial approach based on economic liberalization, and this has helped inter alia to change the existing pattern of population distribution. The population of the metropolitan areas continues to grow rapidly, but less rapidly than the human settlements associated with the establishment of enterprises in frontier towns, the central area of the country and some points on the coasts; this is a clear trend which in the long term will radically alter the country's geographic, economic and demographic distribution. Industrial decentralization seems already to be a fact in the Valle de México, and it is having an impact on environmental quality.

368. This trend is modifying the current environmental impact of industrial activities in a number of towns and regions, but now the Government is concentrating its efforts on promoting the modification of existing industrial processes in order to prevent the environmental problem from merely being transferred to new industrial areas. In order to achieve this aim of reducing industry's harmful effects on the environment, which damage land, water and air, specific policies and strategies are being formulated with a view to establishing an increasingly competitive and at the same time environmentally sustainable industrial apparatus.

369. Furthermore, in accordance with the principles of the Government's policy of verifying compliance with environmental regulations, the following programmes for the review of sources of pollution falling within federal jurisdiction have been formulated and carried out; they focus primarily on enterprises with the greatest potential to pollute, and special attention is given to complaints from the public:

Inspection and monitoring of sources of industrial pollution;
Certification of new vehicles on the production line;
Environmental hazards;
Aerial monitoring;
Stopping and inspection of vehicles apparently emitting pollutants.

370. The creation of the Federal Office for Legal Protection of the Environment (PROFEPA) in mid-1992 initiated an ambitious programme of industrial inspection and monitoring; the inspectors currently make more than 1,000 monthly inspection visits all over the country, imposing fines and shutting down enterprises for failure to comply with the operating requirements of the legislation in force. This represents a considerable expansion of environmental inspection activities, especially with respect to industry: compliance with the law has been tightened

up; the public image of business has been improved; workers, the general public and ecosystems have been protected; existing or potential risks have been identified and reduced; substantial savings have been secured in the consumption of energy and raw materials; wastage, leaks and accidents have been prevented; and processes have been made more efficient.

371. The following are the Government's main objectives for the environment:

(a) To promote an increasingly clear social awareness of the importance of moving towards sustainable development in conjunction with an increasing willingness to participate on the part of the populace and the municipal and state authorities;

(b) To achieve improved institutional integration with respect both to powers to manage natural resources and the environment and to monitoring and encouragement of compliance with environmental legislation;

(c) To make increasing use of the mass media to provide environmental information, education and training.

National Action Committee for Children

372. Through the National Health Service the Government has initiated several programmes and campaigns to increase the life expectancy of Mexicans by reducing child mortality and eliminating malnutrition and epidemic diseases.

373. In this connection the National Action Committee for Children, created to give effect to the Declaration and Plan of Action adopted at the 1990 World Summit for Children, published in October 1995 its National Action Programme for Children 1995-2000, the main aim of which is to improve the survival, protection and development of children and their mothers. The overall targets of this National Programme are focused on reduction of child mortality and elimination of malnutrition and epidemic diseases:

(a) Reduction by half, between 1990 and 2000, of the mortality rate among children aged one to five years;

(b) Reduction by half, between 1990 and 2000, of the maternal mortality rate;

(c) Reduction by half, between 1990 and 2000, of the rate of severe and moderate malnutrition among children aged under five;

(d) Provision of universal access to drinking water and hygienic means of disposal of excreta.

374. The following are the main objectives and support targets of the National Programme:

(a) Women's health and education

(i) Special attention to the health and nutrition of girls, pregnant women and breastfeeding mothers;

(ii) Access of all couples to information and services to prevent excessively early, closely spaced, and excessively numerous pregnancies;

(iii) Access of all pregnant women to antenatal care, attendance by trained personnel during delivery, and consultation services in cases of high-risk pregnancy and obstetrical emergencies;

(b) Nutrition

(i) Reduction by 50 per cent of the 1990 levels of severe and moderate malnutrition among children aged under five;

(ii) Reduction of the rate of low birth-weight (2.5kg or less) by at least 10 per cent;

(iii) Reduction by one third of the 1990 levels of iron-deficiency anaemia among women;

(iv) Virtual elimination of iodine-deficiency diseases;

(v) Virtual elimination of vitamin-A deficiency and its consequences, including blindness;

(vi) Guarantee that all mothers breastfeed their children during the first four or six months and that they continue breastfeeding in conjunction with food supplements until well into the second year;

(vii) Institutionalized measures for promotion and periodic monitoring of children's growth;

(viii) Dissemination of knowledge and provision of support services to increase food production and guarantee the family food supply;

(c) Child health

(i) Eradication of poliomyelitis by 2000;

(ii) Eradication of neonatal tetanus by 1995;

(iii) Reduction of deaths due to measles by 95 per cent and cases of measles by 90 per cent by 1995;

(vi) Maintenance of a high level of immunization, up to at least 90 per cent of children aged under 12 months by 2000, against diphtheria, whooping cough, tetanus, measles, poliomyelitis and tuberculosis, as well as against tetanus in women of childbearing age;

(v) Reduction of deaths due to diarrhoea by 50 per cent among children aged under five in 1994 and the incidence of diarrhoea by 25 per cent.

(vi) Reduction by one third of deaths due to acute respiratory infections among children aged under five in 1994;

(d) Water and sanitation

(i) Universal access to drinking water;

(ii) Universal access to hygienic means of disposal of excreta.

375. In order to attain these objectives and targets the National Action Programme for Children has established the following policies, which are designed to reduce mortality, malnutrition and epidemic diseases.

376. Prevention and control of diseases preventable by vaccination. The Universal Vaccination Programme (PVU) was created in fulfilment of the commitments entered into by Mexico at the World Summit for Children. In order to promote, support and coordinate the activities of this programme, in January 1992 a Presidential Decree established the National Vaccination Council (CONAVA) as a coordination and advisory body. For the first time all the institutions of the National Health Service have been brought together in a programme with common objectives, targets, strategies and procedures. The vaccinations covered by the PVU are those of the WHO Expanded Programme of Immunization: oral polio vaccine, DPT, BCG, measles and tetanus.

377. Since October 1992 the cover of children aged one to four has generally been above 95 per cent for each of the active vaccines and 94 per cent for the full set of eight vaccinations; but the rates have been lower among children aged under 12 months. The cover achieved by the PVU and its epidemiological impact may be described as historic, for poliomyelitis was eradicated in 1990 and diphtheria in 1991, and the remaining diseases preventable by vaccination have undergone major declines since 1990, although there is still a proportion of the population capable of contracting whooping cough, tetanus, measles and meningeal tuberculosis; efforts have therefore been redoubled to meet the targets proposed by the Government for 2000.

378. For epidemiological and economic reasons CONAVA has deemed it appropriate and practicable to incorporate in the PVU in the short term vaccinations to prevent invasive infections by Haemophilus influenzae type b and cases of German measles, mumps and hepatitis B.

379. Prevention and control of diarrhoeal diseases and acute respiratory infections. Two other diseases with high rates of child mortality in Mexico are diarrhoea and acute respiratory infections, especially among children aged under five years; they cause an average of between two and four episodes a year respectively and have a direct impact on the children's nutritional state, with repercussions on their growth and development, as well as increasing health expenditures.

380. Accordingly, a decision was taken in 1984 to carry out a national programme for prevention and control of diarrhoeal diseases; this programme secured a considerable reduction in the occupation of hospital beds for treatment of such diseases and in complications due to venoclisis; treatment costs and the number of infant deaths were also brought down. A national

programme for prevention and control of acute respiratory infections has also been operating since 1985, improving the early detection of severe and moderate cases and providing early treatment, all with the aim of reducing deaths from these ailments.

381. Prevention of accidents. The general mortality rate and deaths due to accidents declined in Mexico between 1989 and 1993. However, the accident mortality rate has gradually been moving up to first place in several age groups, displacing health problems: in 1993 accidents were the first cause of death among children of preschool and school age.

382. Because it causes disability and early death, this public health problem has an impact on the country's family, social and economic life. The prevention of accidents therefore has an effect on, amongst other things, attainment of the targets for the reduction of mortality among children under 15 and the prevention of disabilities.

383. The Government has therefore introduced a number of accident prevention programmes, and measures to prevent accidents among children under 15 are being coordinated with several sectors; there are plans to create a unified national system of accident information to facilitate the technical training of staff responsible for accident prevention, and to produce permanent campaigns to reduce the accident and injury rates in the under-15 age group by encouraging the participation of children in accident prevention.

384. Health of mothers and new-born babies. As part of the reform of the National Health System, the present Government has carried through the functional and operational integration of mother and child care and family planning arrangements in order to create an integrated concept of reproductive health which will enable couples and individuals to enjoy satisfying, healthy and risk-free sex and reproductive lives, with absolute freedom to decide in a responsible and informed manner on the number and spacing of their children.

385. A broad range of services, information and education is provided in the context of primary health care, including family planning, early detection of pre-conception risks, risk-free maternity (antenatal and perinatal stages, delivery, and postnatal and breastfeeding periods), prevention and treatment of sexually transmitted diseases, infertility treatment, early diagnosis of infections and neoplasias of the reproductive tract, and management of the climacteric and post-menopausal period.

386. The new integrated approach combining preventive and reproductive health requires the active involvement of men and their assumption of joint responsibility during the reproductive process, not merely to achieve gender equality but also to improve the family's health and well-being. It is also necessary to acknowledge the needs and rights of adolescents to be provided with appropriate information and services, which must be regarded as priorities for the vulnerable population living in remote rural and indigenous communities and in marginalized urban areas; such information services must be delivered with a clear understanding of the gender perspective and with total respect for the dignity of individuals and couples.

387. The health care provided for mothers and new-born babies addresses the following topics: family planning; care during pregnancy, delivery and the postnatal period; prevention of iron-deficiency anaemia in women of childbearing age; integrated care of adolescents; prevention of low birth-weight; breastfeeding; prevention of neonatal tetanus; and prevention of mental defects due to congenital hypothyroidism.

Percentage of GDP spent on health, and total expenditure on the health sector

388. A table showing the accounts of the health sector (public and private expenditure 1992-1996) prepared by the Ministry of Health will be found in annex IX.

Statistical information on the following indicators, with the rate by sex, urban/rural division, socio-economic or ethnic group and geographic region

Infant mortality

389. Tables showing the percentage reductions in the infant and preschool mortality rates by cause between 1990 and 1993 will be found in annex X.

Population access to safe water

390. This information will be found in the section of this report dealing with housing under article 11 of the Covenant.

Population access to adequate excreta disposal facilities

391. This information will be found in the section of this report concerning housing under article 11 of the Covenant.

Infants immunized against diphtheria, pertussis, tetanus, measles, poliomyelitis and tuberculosis

392. Annex XI contains graphs showing the evolution of the rate of vaccination of children aged one year and one to four years between 1990 and 1995, together with the new basic vaccination schedule and a table showing the number of preschool children receiving the full set of vaccinations, by federal state, between 1993 and 1995.

Life expectancy

293. Annex XII contains tables showing life expectancy at birth by sex from 1990 to 2030 and life expectancy between 1993 and 1995 by sex and federal state, both prepared by the National Population Council.

Population access to trained personnel for the treatment of common diseases and injuries

394. Annex XIII contains tables showing:

(a) The population using the health institutions, 1994-1995;

(b) The medical infrastructure of the health institutions, 1994-1995;

(c) The resources and services of the health institutions, 1994-1995.

Proportion of pregnant women having access to trained personnel during pregnancy and proportion attended by such personnel for delivery

395. Annex XIV contains tables showing:

(a) Percentage distribution of women of childbearing age with a child born live in 1989-1994 who received antenatal care, by type of health worker and institution;

(b) Percentage distribution of women of childbearing age with a child born live in 1989-1994 who received antenatal care, by type of health worker and socio-demographic characteristics;

(c) Percentage distribution of women of childbearing age with a child born live in 1989-1994 who were attended for delivery, by type of health worker and institution;

(d) Percentage distribution of women of childbearing age with a child born live in 1989-1994 who were attended for delivery, by type of health worker and socio-demographic characteristics.

Maternal mortality rate, both before and after childbirth

396. Annex XV contains tables showing:

(a) Maternal mortality rates by cause and by federal state, 1992-1995;

(b) Principal causes of maternal mortality, 1989-1993.

Groups whose health situation is significantly worse than that of the majority of the population; indication of the geographical areas where they are found

397. There has been undeniable improvement in the health of Mexicans, but it has not been uniform. About 10 million people lack regular access to health services, and there are population groups which do not enjoy the minimum conditions of sanitation and hygiene. There are big regional imbalances manifested in high rates of infectious and contagious diseases and ailments connected with malnutrition and reproduction, especially in remote rural and marginalized urban areas.

398. In Mexico, poverty-related diseases, such as cholera, acute respiratory infections in children, malnutrition, and maternal and perinatal deaths affecting in particular the lower-income groups, occur side by side with new health problems connected with changes in lifestyles which lead to a higher incidence of cardiovascular diseases, chronic degenerative conditions, malignant tumours, mental problems, addictions and injuries.

399. The Government acknowledges that a large group of population, which lives in conditions of extreme marginalization in rural s and the

conurbations of the big towns, have not been provided with access to the benefits of the health services and remains afflicted by a number of ailments connected with malnutrition, poor hygiene, and the extreme poverty and marginalization in which they live; this group does not enjoy the basic services necessary to their survival, such as water, light and drainage, and education, urban and health services.

400. In order to overcome these shortcomings in the health system, the IMSS Solidarity Programme provides services for the residents of more than 14,000 locations; 97.72 per cent of locations have fewer than 2,500 inhabitants, a fact which highlights how difficult it is to establish services in remote and thinly populated places. In the federal states in which the Programme operates, services are provided for 64.9 per cent of the rural population and 87.7 per cent of Mexico's 56 identified ethnic groups.

401. The following are some of the characteristics of the recipient population:

(a) Illiteracy among the population reached by the Programme totals 22.2 per cent, and 38 per cent of these people have not completed primary education;

(b) 88 per cent of the 1,225 municipalities in which services are provided are highly or very highly marginalized according to the criteria of the National Statistics, Geography and Information Technology Institute (INEGI);

(c) 80 per cent of the locations (12,734) have fewer than 1,000 inhabitants; in 86 per cent of them the dwellings are widely scattered, and 63 per cent of the places are reached by dirt roads (in Chiapas, 20 per cent are reached by helicopter);

(d) 95 per cent of the settlements lack a drainage system, and 62 per cent a piped water supply;

(e) Services are provided for indigenous peoples in a third of the locations;

(f) 60 per cent of the households have more than six members, and 47 per cent of the houses have earth floors.

402. The Programme attends to the health needs of 10.9 million indigenous people and rural dwellers in 1,264 municipalities in 18 federal states. It operates a regional network of services providing two levels of care in 3,607 medical units (3,539 rural medical units and 68 rural solidarity hospitals), 25 per cent of which are located in areas of predominantly indigenous population.

403. The 3,539 rural medical units are located in small and remote communities. Each of them has a health team consisting of a doctor and two nursing auxiliaries from the locality who speak the local dialect and Spanish (one permanent and one relief). The services are available 24 hours a day.

404. The 68 rural hospitals provide a second level of support to the medical units. All of them have third-year residents in the four basic specialist areas, family medicine and anaesthesiology, providing emergency treatment

24 hours a day; they all have in-patient, obstetrical surgery, and out-patient consultation services (family medicine and specialists), as well as auxiliary diagnostic and treatment personnel.

Changes in national policy, legislation and practices in the health sector

405. The National Development Plan 1995-2000 established three fundamental goals for the health sector: to decentralize the health services for the general public; to consolidate the sector's administrative modernization; and to expand the cover of the basic health services.

406. In 1995 the first steps were taken towards the budgetary decentralization of the Ministry of Health: the administration was modernized and streamlined, and a start was made on the decentralization of monitoring and regulatory activities. Measures were also devised to expand the cover, including the basic package of health services (PBSS), which caters for the needs of communities, mostly indigenous, which have no access to the regular basic health services.

407. In addition, as part of a strategy to combat the most pernicious effects of the country's current economic crisis, the social security institutions implemented an emergency plan to extend by six months the medical services available to workers who have lost their jobs.

408. In order to fulfil its health commitments and cope more efficiently with the challenges of demographic and epidemiological change, the Federal Government plans to reform the health system. The main aim of the reform is to expand the cover and strengthen federalism through five basic measures:

1. To increase the equity, efficiency and quality of the health services;

2. To correct defects and tackle emerging health problems;

3. To establish the foundations for a health system based on functions and not on social groups;

4. To improve the use of health resources;

5. To guarantee a minimum package of services to ensure that, through local and regional arrangements, the whole population will have access to basic care.

409. The reorganization of the health services involves the comprehensive decentralization of the Ministry of Health, a move prepared in 1995 and put into action in 1996. In accordance with the new federalist approach, an attempt is being made to strengthen the state health systems, reduce the gaps between states and regions, and encourage greater social participation in self-care. Thus, the strategy for the decentralization of the health services has two complementary policies: decentralization of operational resources and decentralization of practical activities.

Article 13

Information on the realization of the right of everyone to education

410. Article 3 of the Constitution of the United Mexican States provides that:

"Every individual shall have the right to receive education. The State - Federation, states and municipalities - shall provide preschool, primary and secondary education. Primary and secondary education shall be compulsory.

The education provided by the State shall be designed to develop harmoniously all the faculties of the human being and promote in him or her both a love for their native land and an awareness of international solidarity, in independence and justice.

I. Since freedom of religious beliefs is guaranteed by article 24, such education shall be lay and shall therefore be kept entirely separate from any religious doctrine;

II. The criteria which guide such education shall be based on the results of scientific progress and shall strive against ignorance and its effects, servitude, fanaticism, and prejudice. Moreover:

(a) Education shall be democratic, considering democracy not only as a legal structure and a political system, but as a way of life founded on constant economic, social and cultural betterment of the people;

(b) It shall be national, for - without hostility or exclusiveness - it shall facilitate the understanding of our problems, the use of our resources, the defence of our political independence, the maintenance of our economic independence, and the continuity and growth of our culture; and

(c) It shall contribute to more harmonious coexistence, both through its contribution to the development of the student, its respect for individual dignity and family integrity and its awareness of the general interest of society, and through its efforts to sustain the ideals of fraternity and equality of rights of all mankind and its rejection of privileges of race, religion, groups, sexes or individuals;

III. In order fully to implement the provisions of the second paragraph and section II, the Federal Executive shall determine the curricula and programmes of primary, secondary and teacher-training education for the whole Republic. To this end the Federal Executive shall take into account the opinion of the governments of the federative entities and the various social sectors involved in education, in accordance with the law;

IV. All the education provided by the State shall be free;

V. In addition to providing preschool, primary and secondary education, in accordance with the first paragraph, the State shall promote and maintain all types and modalities of education - including higher education - necessary for the development of the Nation, support scientific and technological research, and encourage the development and dissemination of our culture;

VI. Private individuals may provide education of all types and modalities. In accordance with the law, the State shall grant and may withdraw official recognition of the education provided in private facilities. In the case of primary, secondary, and teacher-training education, private individuals must:

(a) Provide education in accordance with the same purposes and principles as are established in the second paragraph and section II and carry out the curricula and programmes referred to in section III; and

(b) In all cases obtain the prior express authorization of the public authorities, in accordance with the law;

VII. The universities and other institutions of higher education to which the law accords independence shall have the power and responsibility of governing themselves; they shall pursue their purposes of education, research and dissemination of culture in accordance with the principles set out in this article, respecting the freedom of the teacher and the researcher and the freedom to consider and discuss ideas; they shall draw up their curricula and programmes, establish the conditions for the recruitment, promotion and retention of their academic staff, and administer their assets. Labour relations...

VIII. The Congress of the Union, in order to unify and coordinate education throughout the Republic, shall enact the necessary laws for distributing the social educational function between the Federation, the states and the municipalities, for fixing the corresponding economic contributions to this public service, and for determining the sanctions which may be imposed on employees who do not comply or ensure compliance with the legislation and on any person who violates such legislation".

411. The present Government believes that a country's true wealth is to be found in the qualities and capacities of its citizens; its education policy is therefore designed to extend the equitable cover and constantly improve the quality of the services, giving priority to the social groups and rural and indigenous areas with the most serious deficits, as part of a national crusade to achieve higher living standards by making use of the opportunities offered by the science, technology and culture of our times, finding early solutions to foreseeable problems, improving management, and promoting institutional modernization and structural changes in a context of educational federalism.

412. Basic education (preschool, primary and secondary) is designed to establish values, attitudes and habits and to develop knowledge and skills in reading, writing, mathematics and national history which will encourage constructive thought based on values such as honesty, respect, trust and

solidarity - the basis of coexistence in a plural, democratic and productive society of Mexicans. Pupils at this level accounted for 83.8 per cent of the total school enrolment in 1995.

413. The Government, through the Ministry of Public Education (SEP), has introduced corrective programmes in the states with the most serious education problems. One example is the integrated programme to combat educational backwardness; coordination agreements for implementation of this programme were concluded between the Ministry, the National Council for Promotion of Education, the Steering Committee of the Federal School Building Programme, and the governments of the States of Campeche, Durango, Guanajuato, Jalisco, Michoacán, Puebla, San Luis Potosí, Tabasco, Veracruz and Yucatán.

414. During this period the Ministry has also concluded a number of agreements relating to the provisions of article 3 of the Constitution and the General Education Act; the following agreements deserve mention:

(a) No. 165 (24/VII/92), establishing assessment standards for primary, secondary and teacher-training education;

(b) No. 177 (4/VI/93), establishing a new secondary curriculum;

(c) No. 181 (27/VIII/93), establishing the primary curriculum and programmes;

(d) No. 182 (3/IX/93), establishing the secondary curricula;

(e) No. 199 (5/IX/94), establishing the operating rules of the national system of creative workers;

(f) No. 200 (19/IX/94), establishing assessment standards for primary, secondary and teacher-training education;

(g) No. 205 (14/VII/95), setting out general guidelines for regulating the award of scholarships in certified private primary and secondary schools and in initial, preschool and special schools certified by the Ministry of Public Education;

(h) No. (2/VIII/95), setting out general guidelines for the determination of technical professional standards for knowledge and skills susceptible of certification;

(i) No. 209 (13/III/96), amending and expanding agreement No. 181, which establishes the primary curriculum and programmes.

Statistics on preschool, primary, secondary and higher education

415. Tables showing numbers of pupils, teaching staff, institutions, schools and groups at the beginning of the school year by school cycle and educational cycle, 1991/92 to 1994/95, will be found in annex XVI.

General access to higher education, its costs and the extent of free education; grants system

416. In order to meet the increasing demand for higher-secondary and higher education, the present Government is supporting the expansion of the existing facilities with new educational options, seeking a balance between the expectations of applicants and the country's needs. In higher-secondary education, for example, the range of baccalaureate, university baccalaureate and technological courses has been expanded, and attention must be drawn in this connection to the National College of Technical Vocational Education (CONALEP), which provides 50 per cent of the courses in higher-secondary education.

417. Enrolment in higher education has increased considerably during the present decade to about 1.5 million students taking undergraduate, teacher-training and postgraduate courses; of this total, 1.2 million students attended university institutions and institutions of the technological subsystem (77 and 23 per cent respectively).

Secondary and Higher Education, 1995

University Subsystem	
National Independent University	137,000 students
Technological subsystem	
National Polytechnic Institute	61,000 students
Open system	2,000 students
SEP technological institutes	160,000 students

418. Enrolment in teacher training institutes rose to over 155,000 students in 1995, an increase of 12.5 per cent over the preceding period, in response to the need to train the teachers required by the national education system.

419. Postgraduate education has increased by 16.5 per cent, with an enrolment of 76,945 students in the 1995/96 academic year, 70 per cent of whom were studying for a master's degree, 5.9 per cent for doctorates, and 24 per cent for specialist qualifications.

420. The open and semi-open system caters for an average of 650,000 persons per school cycle; the total is up by 25.1 per cent over 1994. These figures underline the importance of this mode of education at the higher-secondary and higher levels, for it is regarded by students as an alternative offering real opportunities for academic development.

421. With a view to expanding the cover of the open and semi-open system, the Ministry introduced a programme to strengthen the open and distance learning services in formal and non-formal education; it formulated a strategy for using the communication media and initiated the transfer of the preparatory open services to the state governments. It has also convened meetings for exchange of experience among institutions offering the open and distance modalities in higher-secondary and higher education in order to strengthen these modalities and facilitate the formulation of a national project.

422. Various measures have been taken to improve the quality of higher-secondary and higher education, including the reformulation of curricula and updating of the knowledge and professional skills of teachers, and revision and updating of courses and programmes, production of audiovisual materials and computer programmes, and co-publication of academic texts.

Efforts to establish a system of fundamental education for those persons who have not received or completed the whole period of their primary education; measures taken to promote literacy, with data on the scope of the programmes, target population, financing and enrolment

423. One of the most important constitutional measures taken in Mexico with respect to adult education was the amendment of article 3 of the Constitution to make secondary education compulsory.

424. Article 43 of the 1993 General Education Act describes adult education as intended for persons aged 15 and older who have not attended school or completed their basic education; it includes inter alia literacy, primary and secondary education, and training for work.

425. The National Development Plan 1995-2000 states in the section on adult education and work training that a largely literate population with high standards of education is an essential condition for development with well-being and equity. The Plan proposes a broad, consistent and effective effort to secure a significant reduction in illiteracy by 2000.

426. The educational development programme devotes the whole of its second section to adult education, stipulating that it shall be designed to provide and strengthen the fundamental knowledge and skills required for further education, without disregarding the importance of the students' environment with respect to the use and retention of the knowledge acquired.

427. The National Adult Education Institute (INEA) is producing a model of basic education for adults which restates the concepts of adult education and expands the curriculum to offer diversified, integrated and flexible education services. This initiative entails a number of measures, including the coordination of the various INEA programmes, in which literacy is regarded as the first stage of primary education which can be aimed, by building on the knowledge of the adult students, at the consolidation of skills and knowledge for productive life and the development of occupational skills.

428. Intensive work is being done on the preparation of the primary mathematics curriculum, which includes three tetxbooks, currently being tested, and on the theoretical framework of science education with a view to its incorporation in the integrated model. A new monitoring and certification system has been produced to eliminate manual procedures and facilitate the amendment of the certification regulations to make them more flexible and adult education more accessible. Joint measures have been carried out by the Ministries of National Defence and Public Education to formulate a national programme to improve poor education standards among young people by providing education during military service. The Ministry of Foreign Affairs supports the communities abroad programme for Mexican-American adults through the Mexican consulates in the United States of America.

429. In 1996 INEA catered for a total of 2,555,000 adults in its literacy, primary, secondary and informal work training subprogrammes. Literacy training was provided for 793,200 adults, 515,400 of whom were successful. Primary education was provided for 689,000 persons, 115,000 of whom concluded this level and obtained the primary certificate. The attendance in secondary was 517,300 persons, and 158,300 of them obtained the certificate. Informal occupational training was provided for 555,000 persons. Services were provided for 63,000 members of the indigenous population, with 41,700 of them becoming literate in their mother tongue.

430. In 1996 the INEA budget was 790 million pesos (27 per cent higher than the 1995 level of 623.5 million), and for 1997 it is 955 million pesos (27 per cent higher than the 1996 budget). The state governments are making increasing contributions to this budget.

Statistics on literacy, enrolment in fundamental education with information on rural areas, adult education, and drop-out rates at all levels of education, and graduation rates at all levels, with a male/female breakdown

431. Statistical tables on these points will be found in annex XVII.

Percentage of national and state budgets allocated to education

432. The funding of education is an unshakable commitment of the Mexican Government; in addition to the funding provided by the three levels of Government, contributions are made by civil associations, trusts, foundations, families, etc. Despite the budgetary constraints, the cover has been expanded in most of the education services, with an increasing volume of resources allocated to improvement of education and reduction of the deficits in areas of extreme marginalization or geographical isolation; however, this latter objective has entailed the establishment of new modes of education, with costs increasing in step with the remoteness of the communities.

433. In 1995 the national education budget was estimated at 86,187 million pesos; the Federal Government contributes an estimated 85 per cent of this total. The proportion of programmed expenditure allocated to sectoral activities was 26.6 per cent, very close to the 1994 figure of 22.7 per cent.

434. In 1994 the education sector accounted for 44.4 per cent of social expenditure, almost one point higher than in 1994. The distribution of the expenditure of the Ministry of Public Education by type of service was:

60.0%	Basic education
11.5%	Higher-secondary education
15.7%	Higher and postgraduate education
2.1%	Adult education
1.8%	Culture, sports and recreation
4.5%	Educational research
4.4%	Administration, programming, etc.

National educational expenditure as a proportion of GDP was estimated at 5.3 per cent, with a federal contribution of 4.5 per cent, and 4.0 per cent from the Ministry of Public Education.

School building statistics

435. The present Government has given priority to the creation of basic education infrastructure and expended 774.8 million pesos for this purpose in 1994, representing 46.9 per cent of the resources spent under the infrastructure programme and 126.1 per cent of the original budgeted investment in this area. These resources were used to build and equip 13,404 school facilities, which represents 93.3 per cent of the programmed target and 56.5 per cent of all construction work for the various levels of education in 1995.

436. The resources allocated for extramural secondary and technical secondary projects have been increased, and agreements have been concluded with the state governments to strengthen the physical school infrastructure; action has also been taken to speed up the projects, with reduction of the time-limits for tendering and improved supervision and control of the building work.

437. In 1995 285.3 million pesos were spent on the construction of kindergartens and preschool preventive care centres; this meant the construction and equipment of 5,943 facilities, representing 71.5 per cent of the target programmed at the beginning of the present administration.

438. The construction of primary schools has remained decentralized; however, owing to the defects in the education infrastructure, agreements have been concluded with some state governments for an investment of 71.1 million pesos in 1995 for the construction and equipment of 387 classrooms and 451 annexes, providing a total of 838 facilities.

439. Infrastructure expenditure in secondary education amounted to 481.4 million pesos in 1995, 30.8 per cent higher than the original budgeted figure; this meant the construction and equipment of 6,623 facilities, 9.5 per cent more than the original target. Although general secondary planning is the responsibility of the state governments, owing to the infrastructure deficit at this level the Administrative Committee of the Federal School Building Programme (CAPFCE) concluded agreements with state governments for the construction of some 243 secondary education facilities in 1995.

440. The construction of infrastructure at the higher-secondary and higher levels has made it possible to expand the course options. In 1995 318.9 million pesos were spent on higher-secondary education, and 3,125 facilities were built and equipped. The demand for facilities for the training of technicians prompted the expenditure of 57.5 million pesos, which were used to build and equip 565 facilities, notably the construction in 1995 of 385 facilities for CONALEP.

441. In addition, 275.1 million pesos was spent in 1995 on expanding and modernizing the physical infrastructure of higher education, resulting in the construction and equipment of 3,125 facilities. An investment of 31.2 million pesos was made in postgraduate education, specifically for the construction and equipment of 299 new facilities to help to increase the cover and improve academic standards.

Especially vulnerable groups and groups in disadvantaged situations: young people and children in low-income groups, rural areas, disabled and indigenous children; actions taken to guarantee equal access to all levels of education in the form of anti-discriminatory measures, financial incentives, fellowships, and bilingual and bicultural education

442. One of the fundamental purposes of the Government's education policy is to provide an academically sound service for 100 per cent of children and young people seeking basic education (preschool, primary and secondary), which will distribute education in a more balanced manner and enable the state governments to improve the operation of their facilities, and will also incorporate local talents and initiatives and provide opportunities for community participation in the planning and evaluation of the various areas of education. The construction and maintenance of school facilities is the key to the expansion of the service, and measures have been taken to decentralize construction and maintenance throughout the country.

443. In the context of the national agreement for the modernization of basic education and on the basis of the General Education Act, the National Council for Promotion of Education (CONAFE) is responsible for coordinating the implementation of the corrective programmes designed to achieve equity in education, which are partially funded by external credits.

444. These programmes have solid educational purposes focused primarily - through training, incentives for teachers, provision of teaching materials, and construction and repair of classrooms - on the regions and areas with the most acute deficits. Through these programmes the education system has found viable means to reduce the deficit in general primary and indigenous primary education and to expand non-school initial education in rural areas, reaching a little over 3.5 million pupils and 110,000 teachers in 37,000 schools.

Corrective programmes

Programme to reduce education deficits (PARE)
Programme to reduce the deficit in basic education (PAREB)
Integrated programme to reduce the deficits in basic education (PIARE)
Schools solidarity programme (PES)

445. An attempt has been made through these programmes to guarantee schools a supply of inputs: provision of teaching materials for pupils, school groups and schools. The teaching-learning process has thus been enhanced: teaching standards and school performances have improved and more pupils are remaining in the education system. Training and refresher courses have also been included in the programmes in order to instruct teachers in the proper use of teaching tools in dealing with multi-grade, rural and indigenous groups.

446. The relocation bonuses have proved decisive in persuading teachers to make an additional effort to move to the remotest rural and indigenous communities. This incentive has increased the numbers of teachers settling in such communities, facilitating the teaching of the full school year and establishing it as part of community life, as well as generating out-of-school activities which help to create an environment of literacy.

447. The policy of giving attention to primary schools with multi-grade teachers is also being continued, for it has allowed schools which did not offer all six primary grades now to offer the complete course through their upgrading from single-teacher to two- or three-teacher schools. Despite this policy, single-teacher schools are still being opened in many small districts in order to offer education where it was not previously available; there is a total of 93,236 such schools in operation.

448. In order to tackle the problem of pupils who do not complete their basic education within the prescribed period, either because they repeat years or because they drop out, continued support has been given to the preventive care and remedial project, which offers two options: prevention of repeated years, and remedial classes.

449. Special education is provided for persons with temporary or permanent disabilities and for those with outstanding abilities. A national programme to promote the welfare and social integration of disabled persons and incorporate them in development was established in 1995. One of the first measures taken under this programme was to register children exhibiting some sign of disability, an exercise conducted by the Ministry of Public Education (SEP), the national DIF service and the National Statistics, Geography and Information Technology Institute (INEGI) within the framework of the national disabled persons information system. In addition, the technical services were strengthened and streamlined in order to expand the cover and improve the quality of the teaching provided.

450. The units providing educational support services (USAER) constitute one of the basic tools of special education; these operational and administrative units cater for special education needs in normal schools, prevent learning difficulties and assess the education process on a permanent basis.

451. Training and refresher courses are held in order to upgrade the skills of the personnel of the various services for persons with special education needs; encouragement has also been given to the construction of new social integration centres, shelters, child development centres, and special-education schools.

452. In addition, the "Niños de Solidaridad" programme is making progress in cutting the numbers of drop-outs; assistance is provided for low-income families to encourage their children to remain in primary education: on average, a million grants are provided every year for this purpose, together with 9 million rations of food and 2.5 million medical checks in basic education schools nation-wide. It is important to draw attention to the food aid provided for some 170,000 children in the State of Chiapas.

453. The education infrastructure has been repaired and improved in some 7,000 facilities throughout the country under the "Decent Schools" programme; a large proportion of these facilities are in the States of Guanajuato, Sinaloa, Tabasco and Tlaxcala. Furthermore, in order to expand the cover of the education services a further 5,000 facilities have been built, mainly in the States of Guerrero, Campeche, Hidalgo, Quintana Roo, Baja California, Michoacán and Sonora.

454. In order to promote sporting activities as part of the people's physical education, sports fields and centres have been built and repaired, notably in the States of Guerrero, Michoacán, Tlaxcala, Guanajuato, Quintana Roo, Baja California, Zacatecas, Oaxaca, Sonora, Tamaulipas and Yucatán.

455. In accordance with the principles of the National Development Plan 1995-2000, the strategy to enhance the well-being of indigenous peoples addresses the integration of ethnic communities in the country's development, with full respect for their cultural richness, languages and traditions. The support policies and measures are implemented in accordance with the principles of self-determination, plurality, participation, integrity, transparency and sustainability.

456. During President Zedillo's term of office the National Adult Education Institute (INEA) has established literacy services in their mother tongues for 66,609 members of indigenous groups; 45,857 of them in 15 of Mexico's states achieved literacy. The Institute operates special projects such as the multiple services project for the Mixe people of Oaxaca, funded by the Organization of American States, and the Chiapas emergency programme, which has expanded the INEA services to cover most ethnic groups.

457. The programmes for indigenous children of school age have also received increased resources and have been diversified. In 1995 almost 40,000 teachers attended to the needs of some 950,000 indigenous children in initial, preschool and primary education in bilingual and bicultural classes.

458. In order to provide education tailored to the linguistic and cultural characteristics of indigenous children, action has been taken in the areas of standardization, monitoring, evaluation, production of radio programmes and other materials, educational research, and training and further training of teachers. In addition, during the 1995/96 school year free textbooks were printed and distributed in 46 languages and dialects for the teaching of Spanish as a second language; 1.5 million copies were distributed to persons who do not speak Spanish or have only a shaky grasp of that language.

459. The National Institute for Indigenous Peoples (INI) runs 1,100 indigenous centres catering for some 60,000 children and provides more than 12,000 secondary education grants. More than 300 schools have been equipped and more than 403 repaired in 18 states, for the benefit of some 40,000 children.

460. It must be pointed out in connection with measures to increase the output, productivity and incomes of the marginalized population, especially in rural areas and the conurbations of the country's big towns, that several programmes and assistance funds include training among their activities: for example, the solidarity funds for production, the special seasonal employment programme, the Fund for Solidarity Enterprises, and the National Handicrafts Promotion Fund (FONART).

461. FONART works mainly with the country's indigenous peoples, providing technical advice to enhance the quality of their products. This service has become established as a training link among the craft workers themselves and has resulted in increased output and a consequent rise in family incomes.

462. A large part of Mexico's vulnerable population consists of groups of children and young people in disadvantaged economic and social circumstances; it has thus been necessary to strengthen the institutional programmes providing services for them and to encourage their participation in social development and the promotion of basic services.

463. In this context, and in accordance with the policies of the National Development Plan 1995-2000, progress has been made with measures to extend the educational cover of children and young people in rural and marginalized urban areas by means of the educational television satellite broadcasting network (EDUSAT) of the Ministry of Public Education. In addition, in the 1995/96 school year more than 17,000 education grants were awarded through a programme of support for children and young people in rural communities with no opportunities of primary and secondary education, basically to cover the costs of transport, schooling and accommodation.

464. Lastly, it must be pointed out that the Government is carrying out major information and education campaigns, aimed in particular at the country's young people, to prevent addictions and provide sex education in order to reduce the risks of pregnancy and sexually transmitted diseases, and to encourage the use of condoms by young people and adolescents.

Situation of teachers, and training and further training programmes

465. Since the performance of the teaching profession is fundamental to the country's education system, great importance is attached to the training and further training of teachers, areas in which the Federal Government, the states and private individuals make contributions.

466. The present Government undertook to combine forces with the state authorities to organize and operate the national system of training, further training and professional improvement of basic education teachers. The need is to coordinate a number of institutions and services to function coherently under the leadership of the authorities of each federal state.

467. The Government has established academic standards and criteria, drawn up curricula and programmes, proposed guidelines for the organization of the services, and formulated programmes to improve the quality of education. Attention must be drawn to the research work on the training and further training of teachers, which is fundamental to the formulation of strategies and action plans to provide guidance for teacher-trainers in the short, medium and long terms.

468. In 1995 there were 154,312 trainee teachers in institutions run by the Federal Government, the states and private organizations. There were 6,417 such students in the Federal District, taking the following degree courses:

11.7%	Preschool education
24.1%	Primary education
23.8%	Secondary education
24.1%	Physical education
16.3%	Special education

469. Five hundred libraries were established in 1995 to provide an essential support for the teaching-learning process, each stocked with 1,100 titles in a total of 2,500 copies, thus helping to enhance the teachers' general and pedagogical culture.

470. In addition, in order to provide further training and upgrade the qualifications of basic education teachers who do not have degrees, the National Teacher-Training University offers higher studies in education in its five degree courses, together with postgraduate courses for the country's teachers as a preliminary step to a doctorate.

471. The implementation of the national agreement for the modernization of basic education produced a sharp increase in the training and further training of serving teachers. The national programme for the permanent training of serving basic education teachers (PRONAP) was established in 1995 as one of the components of the national system for training, further training and professional improvement of teachers. To this end the Ministry of Public Education and the National Union of Education Workers (SNET) signed an agreement for the implementation and monitoring of PRONAP, including the establishment of 200 teachers' centres conceived as spaces for further training and exchange of experience among teachers; this target was exceeded, for an additional 150 centres were set up in 1995.

472. The programme on teaching as a career is designed to improve the quality of education, provide a system of horizontal promotion and recognition of the professional standards of the teaching profession, and improve the remuneration and working conditions and consequently the living standards of teachers, all on the basis of an assessment of their vocational training. In the 1995/96 school year, four years after start-up, this programme reached 573,290 teachers, i.e. 62.7 per cent of basic education teachers.

473. With the collegiate participation of the academic authorities of the National Teacher-Training University, and in accordance with the budgetary rules, measures have been taken to upgrade the social status of the teaching profession: 525 academics were provided with incentives in the form of grants to encourage them to improve their professional and academic performance.

474. In addition, in order to improve the economic situation of basic education teachers, the salaries scale has been periodically reviewed with an eye to enhanced remuneration and benefits. As a result, despite the economic crisis affecting the country over the past three years, the starting salary of a primary education teacher in the Federal District in 1995 was 3.08 times the general minimum wage in the area, and it has continued to rise in 1996 and 1997.

475. With regard to the professional improvement of teachers in higher-secondary and higher education, the schools in which they teach have held a number of refresher workshops on educational counselling and assessment of learning. With the Ministry's support, action has also been taken to establish a national teacher-training programme, which will systematize the measures taken by the country's institutes of higher-secondary and higher education.

476. Another measure was the design of the ideal teacher profile in higher-secondary education. And in order to upgrade the quality and relevance of the

teacher training, the National Polytechnic Institute has initiated a programme to improve the professional standards of the teaching profession, offering training and further training courses.

477. The university subsystem restructured the plan for academic excellence introduced in 1989, which includes programmes providing incentives for teachers to improve their performance and qualifications, support for students, and support for the teaching and research functions.

478. The purpose of the national programme for professional improvement of academic personnel (SUPERA), is to help to improve the quality of teaching staff in affiliated institutes of higher education, increase the number of persons training to be teachers, and provide further support for the programmes of institutional development. On average, 84.7 per cent of the teachers reached by SUPERA are employed in public institutions, 10.5 per cent in technical institutions, and 4.8 per cent in private institutions.

Ratio of private to public schools

479. In the 1995/96 school year private schools accounted for 8.2, 6.4 and 7.5 per cent of the pupils enrolled in preschool, primary and secondary education respectively.

480. Details of the ratio of private to public schools are given below.

Preschool education

	1993/94	1994/95
Total schools	55 083	58 868
Federal	7 117	8 374
State	43 362	45 477
Private	4 584	4 803

Primary education

	1993/94	1994/95
Total schools	87 271	91 857
Federal	10 008	13 941
State	72 779	73 128
Private	4 484	4 788

Secondary education

	1993/94	1994/95
Total schools	20 795	22 255
Federal	877	884
State	17 385	18 747
Private	2 530	2 621

Higher-secondary education

	1993/94	1994/95
Total schools	2 016	2 021
Federal	615	612
State	88	96
Private	1 248	1 243

Baccalaureate

	1993/94	1994/95
Total schools	5 151	5 612
Federal	1 095	1 121
State	1 385	1 700
Private	2 264	2 378

Teacher training

	1993/94	1994/95
Total schools	493	508
Federal	8	8
State	329	338
Private	156	162

Occupational training

	1993/94	1994/95
Total schools	3 644	3 864
Federal	406	399
State	249	276
Private	2 980	3 176

Higher education

	1993/94	1994/95
Total schools	2 042	2 200
Federal	247	254
State	245	271
Private	715	814

N.B. The missing balance from "Total schools" is accounted for by independent schools.

Changes in national policies, laws and practices affecting education

481. These changes are described in the section of this report on article 2 of the Covenant.

Article 14

482. As pointed out in the section of this report on article 13 of the Covenant, according to article 3 of the Constitution of the United Mexican States, basic education (primary and secondary) is compulsory and free in Mexico.

CULTURE

Article 15

Legislative and other measures adopted between 1992 and 1996 to realise the right of everyone to take part in the cultural life which he or she considers pertinent, and to manifest his or her own culture

483. The National Development Plan 1995-2000 contains a specific programme on culture addressing the following main points: influence of culture in the exercise of national sovereignty; recognition of culture as a pillar of democracy; strengthening of Mexico's cultural federalism; strengthening of culture as an essential part of social well-being; linkage of culture to the national education project; broad social participation in the protection of the cultural heritage; support for and legal protection of intellectual property and artistic works; support for and promotion of popular cultures, particularly indigenous ones; means of implementing the social commitment to preserve the cultural heritage and promote culture; and the role of the mass media in the dissemination of art and culture.

484. On 3 September 1993 the Diario Oficial de la Federación published the agreement establishing the national system of creative workers, which has the following main aims: to encourage creative activity in the arts as part of education; and to propose and establish machinery for awarding grants and recognizing and providing incentives for creative workers. The purpose of this agreement is to undertake support activities to provide artists with a more favourable environment for their creative work.

485. On 24 December 1996 the Diario Oficial de la Federación published the Federal Copyright Act, which revoked the Federal Copyright Act of 29 December 1956 and its amendments and addenda published on 21 December 1963, together with subsequent amendments and addenda. This legislation provides a suitable legal framework for the exercise of copyright, invests copyright with greater transparency and clarity, and facilitates the production and dissemination of culture.

Availability of funds for the promotion of cultural development and popular participation in cultural life, including public support for private initiative

486. The Government has reached agreement with the country's academic institutions, organized groups of civil society, and private bodies on the use of the resources of the various cultural agencies and offices and of the budgets of the state and municipal governments.

487. Since its creation the National Fund for Culture and the Arts (FONCA) has been authorized by the Ministry of Finance and Public Credit to accept donations

attracting income-tax relief. In this way, in addition to the financial arrangements under which it operates, it has established a funding scheme based on the opening of special accounts for cultural projects.

488. In order to provide an effective means of organizing the resources, support has been given to the creation of regional and state funds and subfunds for the promotion and dissemination of culture. These regional funds support projects in archaeological zones and enjoy the collaboration and advice of the National Institute of Anthropology and History (INAH). The state funds channel resources to cultural events in each federal state, in full accord with the local people and authorities. The subfunds for the promotion and dissemination of culture support specific projects emanating from the community.

489. The creation of subfunds for cultural projects provides artists, intellectuals and cultural associations and institutions with an opportunity to put the case for their projects to private enterprise. This arrangement offers a funding option independent of the regular operational programmes of public cultural institutions.

490. Through the National Coordinating Committee for Cultural Decentralization, the National Council for Culture and the Arts (CNCA) supported the creation of 31 state funds for culture and the arts. These funds were created with bipartite contributions by CNCA and the state governments. The resources allocated to the state funds are constantly increasing towards the point at which effective decentralization of cultural activities will have been achieved.

491. In view of the important role of FONCA in stimulating creative activity in Mexico, it was allocated 11 times more resources in 1993 than in 1989. Support has also been provided through the cultural incentives programme, which originated in the grants programme, for Mexican artists to develop and consolidate their work under better conditions, with particular incentives for young creative artists, performers, and writers in indigenous languages.

492. In 1995, through 170 subfunds for the promotion and dissemination of culture and the arts, CNCA supported a similar number of cultural and artistic projects; the money came mainly from private donations.

493. The International Cervantes Festival in Guanajuato City continues to offer an important forum for presentation of the arts and culture of some 30 countries which send artistic groups to participate year after year. Theatrical performances are also staged in the Hellenic Cultural Centre, and photographic and travelling exhibitions, conferences, workshops and video presentations are arranged by the Centre for the Visual Image.

494. The use of the "Sépalo" and "Maestros a la Cultura" discount cards is encouraged as a means of providing support for top-quality cultural activities. The NOTITEL service was introduced in 1995 in order to give greater publicity to cultural activities in Mexico City; this new service provides information by telephone about the main cultural events.

The institutional infrastructure established for the implementation of policies to promote popular participation in culture, such as cultural centres, museums, libraries, theatres, cinemas, and in traditional arts and crafts

495. The establishment of the National Fund for Culture and the Arts (FONCA) on 2 March 1989 was a response to the need to provide an innovative mechanism to support the country's intellectual and artistic community. This Fund was established with the birth of the National Council for Culture and the Arts (CNCA) following a presidential decree stating that "the State must encourage the creation of artistic and cultural works and guarantee the full liberty of creative workers; the role of the State in this field must therefore be one of organization and promotion". The President of the Republic entrusted to the head of CNCA the task of constituting the Fund "in order to encourage the creation of artistic and cultural works by individuals and groups and to acquire libraries, archives and works of art for their conservation as part of the national heritage". The creation of FONCA gave effect to a long-standing proposal of a group of intellectuals and artists, originally made in 1975, for the establishment of an independent body to stimulate creative activities.

496. In the moment of its foundation FONCA opened up an unprecedented era in Mexico's cultural history: it introduced a financial mechanism for the voluntary association of the State, businesses and the artistic community to encourage artistic creativity with unrestricted respect for the freedom of creative workers, and to preserve and expand the cultural heritage. However, FONCA has been essentially an instrument for stimulating artistic and intellectual creativity.

497. FONCA was established as a trust and received its initial funding from the Federal Government, which was boosted by tax-deductible contributions from the private sector. It is responsible for conservation, promotion and dissemination of culture and the arts through a number of administrative units on: libraries, publications, popular culture, promotion of culture, and social communication. FONCA also coordinates the work of the National Anthropological and History Institute (INAH), the National Institute of Fine Arts (INBA) and Radio Educación, as well as being responsible for various decentralized bodies, including public trusts and enterprises funded partly by the State such as the National Handicrafts Promotion Fund and the International Cervantes Festival.

498. The creation of FONCA lead to the coordination of the efforts of the artistic and intellectual community, the business sector and public institutions on the basis of four main goals: to support artistic creativity; to preserve the cultural heritage; to reinforce cultural traditions; and to promote and disseminate culture. Six main activities are carried out to this end: support for artistic creativity; joint-investment cultural projects; promotion and dissemination of culture; international collaboration; preservation and conservation of the cultural heritage; and reinforcement of cultural traditions.

499. The fundamental means by which FONCA seeks to attain these aims is its programme of support for creative activities; it also implements measures to promote and disseminate culture and enhance and preserve the cultural heritage. FONCA has the following regular programmes: cultural incentives; promotion of cultural projects and joint investments; national creative workers programme; conservation of the cultural heritage; reinforcement of cultural traditions;

promotion and dissemination of culture; international collaboration; and institutional collaboration.

Promotion of cultural identity as a factor of mutual appreciation among individuals, groups, nations and regions

500. The Mexican Government believes that one of the expressions of a people's sovereignty is its freedom to assert and consolidate its identity and its culture. In turn, sovereignty is based on identity and culture, among other values and activities, and on nationalism as the summation of a country's values and feelings. Nationalism is conceived as the basis of sovereignty and as an expression of the vitality and diversity of Mexico's culture. The distinguishing features of this nationalism are its inclusiveness, its respect for other cultures and its openness to communication with them, in the conviction that in the universal cultural dialogue the culture of Mexico will be enriched and acquire a fuller sense of its own identity.

501. History has ordained that Mexico's cultural identity should extend beyond the country's frontiers and that the culture and sense of belonging of the communities of Mexicans and of Mexican origin should seek profounder links with each other, thus contributing to the affirmation of their cultural roots and calling into play the responsibility of the Government of Mexico to defend their rights and work to improve their quality of life.

502. The strengthening of sovereignty implies for the Mexican Government a reaffirmation of the national culture and projection of Mexico's nationality, breathing new life into Mexico's existing presence in the world. The dissemination of Mexican culture in other countries , encouragement of knowledge and appreciation of Mexico's history and cultural values, both by its citizens and by foreigners, and membership of international agreements on protection of the cultural heritage and educational and cultural cooperation with other nations consolidate Mexico's presence and promote its national interests on the international stage.

503. Furthermore, the democracy embodied in the Constitution of the United Mexican States as a way of life is the basis for the exercise of rights and freedoms and the unrestricted expression of cultural and ideological plurality. Cultural expression is the most vivid manifestation of a society's plurality. In its cultural creations a society acknowledges a form of interpretation and understanding of reality. A society permeated by culture is a society better prepared for civilized co-existence, political consensus and ideological tolerance.

504. The Mexican Government believes that the work of promoting culture in its various aspects - preservation of the cultural heritage, encouragement of artistic creativity and dissemination of cultural works - should be conducted with the broad and increasing participation of the community, in accordance with the principles of plurality and due representation. One of the basic strategies for closing the gaps between the various strata and groups of the population and regions of the country is to expand the cover and improve the quality of basic services such as education, which includes culture, as one of the principal means of improving the quality of life of individuals and communities. Culture provides a link between education on the one hand and society and work on the

other, with a view to developing the creativity and talents of families and their members.

505. The linkage of institutional cultural programmes with the various levels of the national education system provides one of the soundest means of expanding the cover and efficiency of the country's cultural services, in accordance with a social policy aimed at the intensive development of the creative powers and talents of Mexicans.

506. Lastly, it must be pointed out that the aim of linking individuals or groups to the cultural heritage of their region originated in 1991 in the "Adopt a work of art" programme, which encourages society to take an active part in the restoration of works which are an invaluable element of Mexico's cultural heritage. This specialized and laborious work of restoring cultural objects requires a large volume of funding.

507. The role of FONCA in this programme is to secure the effective and rapid use of the resources which the committees raise from private individuals and organizations. Approximately 150 movable and immovable artistic works have been restored in the States of Coahuila, Jalisco, Morelos, Veracruz and Yucatán.

Promotion of awareness and enjoyment of the cultural heritage of national ethnic groups and minorities and of indigenous peoples

508. Mexico has 56 ethnic groups living in 23 states of the Republic, representing a population of some 6.5 million, i.e. about 8.5 per cent of the country's inhabitants.

509. The Mexican Government is actively promoting the preservation of the cultures and traditions of the indigenous peoples, carrying out policies with them and not just for them. The aim is to check the decline in their geographical territory, conserve their natural resources and use them for their benefit, carry out community improvement works, expand the cover of basic services, and combat the activities of middlemen, in order to give practical effect, in respect of members of the indigenous groups, to the individual guarantees and social rights proclaimed by the Constitution of the United Mexican States for all citizens.

510. Two extremely important reforms affecting the indigenous peoples were enacted in 1992: an amendment to article 27 of the Constitution, which deals with the protection of their lands, and the addition in article 4 of a paragraph recognizing Mexico's multi-cultural character.

511. The programme of solidarity funds for promotion of the cultural heritage of the indigenous peoples is supporting a number of projects in the community for the benefit of some 200,000 members of 53 ethnic groups throughout the country. The programme for development and promotion of indigenous cultures has received requests for support of projects on preservation of the cultural heritage; these projects will benefit some 40 indigenous groups and help to enhance respect for cultural diversity.

512. The Mexican Government is also providing significant support for the Music Training Centre, whose objective is to develop, disseminate and consolidate

traditional bands as an important part of the life and culture of the indigenous peoples, especially in the State of Oaxaca; the Centre has provided training for Mixe, Chatino, Mixteco and Zapoteco students.

513. The programmes of the National Institute for Indigenous Peoples on promotion of the cultural heritage help the ethnic groups to exercise their rights to their own cultural life, to profess and practice their own religions, and to use their own language, for the country's ethnic diversity enhances Mexico's multifaceted personality. The programme for development and promotion of indigenous cultures provides support for preservation of the music and dance, farming rituals, traditional fiestas and craft and farming techniques of indigenous groups.

514. One of the FONCA programmes provides specific incentives for writers in indigenous languages in order to encourage the production of works of literature in the various indigenous languages spoken in Mexico and maintain the indigenous narrative traditions. Applications for support under this programme must relate to unpublished original works in one of the country's indigenous languages in the following areas: poetry, story-telling, chronicles and history, or theatre and radio scripts.

515. Where education is concerned, the General Education Act and the internal regulations of the Ministry of Public Education, published in the Diario Oficial de la Federación on 26 March 1994, prescribe some of the elements of school curricula, which must respect the indigenous tongues and cultures and help to improve education standards in regions with an indigenous population.

Role of mass communication media in promoting participation in cultural life

516. In order to preserve a record of the activities of the National Fund for Culture and the Arts and establish a greater presence both in the artistic and intellectual community and in the business world in Mexico, the Fund carries out various publicity measures to draw attention to the cultural services offered by the artistic and intellectual community, with a view to expanding the cover of the FONCA programmes.

517. Generally speaking, the main daily newspapers, television and radio networks and specialized magazines give broad coverage to the great variety of cultural events taking place up and down the country.

518. The National Council for Culture and the Arts continues to publish in two daily and two weekly newspapers a list of the projects supported by the Fund. Radio Educación broadcasts the weekly programme Creación en Movimiento (Creation in Movement), and Channel 22 and EDUSAT broadcast the series Jóvenes Creadores (Young Creators), both produced by the Fund.

519. Where the mass media are concerned, CNCA produces television and radio programmes designed to consolidate the fundamental values of our nationality and cultural identity, as well as engaging in the commercial distribution of videos, films and cultural programmes.

520. Channel 22 has increased its transmission time to an average of 11 hours a day; 40 per cent of this broadcasting is made up of nationally produced

programmes, and the rest of the programmes are purchased from the most important international cultural television catalogues; this provides a programming profile suited to the viewers' tastes. Channel 11 broadcasts information, cultural, social service and entertainment programmes; Radio Educación produces for its AM broadcasts cultural programmes with a journalistic approach, with 7.6 per cent of transmission time taken up by children's programmes, in addition to the music slots for children.

521. The Mexican Institute of Cinematography (IMCINE) coordinates and promotes the national cinema industry in the production and distribution of Mexican films at home and abroad. Several productions distributed in recent years have received prizes and nominations both in Mexico and at the main film forums and festivals abroad. The quality of Mexican films has improved sharply in recent years.

522. In order to support the distribution of Mexican films abroad, the Mexican film industry participates in international events such as Sundance in the United States and the following film festivals: Berlin, Germany; Cartagena, Colombia; Huesca and San Sebastián, Spain; Venice, Italy; Toronto and Montreal, Canada; Havana, Cuba, etc. In addition, 1995 saw the completion of the programme to modernize the studios of Churubusco Azteca, S.A.

Preservation and presentation of mankind's cultural heritage

523. For any country, the restoration of its past is essential to an understanding of its history; in a country such as Mexico this is a task of immeasurable magnitude, owing both to the country's physical size and to its diversity and depth. It is therefore essential to secure the participation of the various sectors of society in the care, preservation and conservation of the cultural heritage.

524. FONCA raises funds from the business world and acts as the financial agency responsible for the tax deductions allowable on the contributions which cultural institutions and groups secure from private sources. It also takes part in a number of projects for the preservation and dissemination of the cultural heritage in collaboration with the institutions responsible for care of cultural objects. Investments are thus made through the Fund for the restoration both of archaeological sites and of the cultural objects which form part of the cultural heritage of Mexico and of mankind.

525. In order to increase the flow of these contributions, FONCA offers the possibility of creating special funds either to improve the coordination of its activities or to increase the attractiveness of the tax relief under an agreement between FONCA and the Ministry of Finance and Public Credit, published in the Diario Oficial de la Federación on 1 April 1996.

526. With a view to increasing Mexico's cultural patrimony, the Fund has supported, with public and private contributions, the purchase of a wide variety items of great artistic and cultural value: documentary and bibliographical archives, sculptures and ornamental art, etc. To date, 52 works have been added to the country's cultural patrimony. The cultural bodies which have benefitted include the National Museum of Art, the Museum of Modern Art, the Biblioteca

México, and the National Centre for the Promotion of Literature of the National Institute of Fine Arts.

527. Under the custodianship of the National Anthropological and History Institute (INAH), 141 archaeological sites, 105 historical monuments and 106 museums are currently open to the public; they attracted some 16.4 million visitors in 1995. Major and minor maintenance projects are carried out, together with measures to restore and preserve the sites and objects, in order to improve the functioning of the facilities and, in particular, to upgrade their safety.

528. The National Institute of Fine Arts is responsible for 26 museums and galleries, which had 1.6 million visitors in 1995. In that same year 2,156 square metres of wall paintings, 690 paintings and 291 other works of art were restored.

529. The National Commission for Preservation of the Cultural Heritage encourages the creation of local committees, of which there were 76 in operation at the end of 1995. These committees carry out measures for the reclamation and restoration of sites and movable items regarded as part of the historical and cultural heritage, using resources from the private sector and the general public. Attention should be drawn to the projects carried out in the States of Baja California, Hidalgo, Guanajuato, México, Chihuahua and Morelos.

Legislation protecting the freedom of artistic creation and performance, including the freedom to disseminate the results of such activities

530. The Federal Copyright Act gives effect to article 28 of the Constitution of the United Mexican States, published in the Diario Oficial de la Federación on 24 December 1996, and provides broader protection of the freedom of creative work and artistic performance:

> "Article 1. [...] is designed to protect and promote the cultural patrimony of the Nation, and to protect the rights of authors, interpreters and performers, and of publishers, producers and broadcasters with respect to their literary or artistic works in all their manifestations, their interpretations or performances, their publications, their sound or video recordings, and their broadcasts, as well as to protect the other intellectual property rights.
>
> "Article 2. The provisions of this Act are in the public and social interest and shall be complied with throughout the national territory. Their administrative application shall be the responsibility of the Federal Executive through the National Copyright Institute and, in the cases envisaged in this Act, the Mexican Industrial Property Institute.
>
> "Article 5. Protection under this Act is accorded to works from the moment at which they become fixed in a material medium, regardless of their merit, purpose or mode of expression. Recognition of copyright and related rights shall not require registration or documentation of any kind and shall not be subject to the completion of any formalities.

"Article 11. Award of copyright constitutes the recognition by the State of any creator of the literary and artistic works referred to in article 13 of this Act, which provides that copyright shall be recognized with respect to the following types of work:

I. Literary;
II. Musical, with or without words;
III. Dramatic;
IV. Dance;
V. Painting or drawing;
VI. Sculpture and other plastic works, etc.

"Article 15. Literary and artistic works which are published in periodicals or reviews or broadcast by radio or television, or disseminated through other media, shall not thereby lose legal protection."

Professional education in the field of culture and art

531. The physical plant of schools and their equipment have received special attention. Various facilities have been remodelled, and the period covered by this report saw the inauguration of the National Centre for the Arts, whose purpose is to bring together in one place the various schools responsible for teaching the artistic disciplines in Mexico.

532. The National Centre for the Arts was established as an institution for the training of Mexican artists to high standards of excellence and on an inter-disciplinary basis. Therefore, in addition to moving its four schools and four research centres to a single site, the Centre undertook a vast and far-reaching programme of academic reorganization designed to bring its curricula up to date, upgrade the training of teachers of artistic subjects, and consolidate the links between teaching on the one hand and research and professional work on the other.

533. In 1995 the Multimedia Centre, with its 12 cinema screens, and the Library of the Arts, with its cultural extension programme, reached 355,175 persons. The National Centre for the Arts has been favourably received by the artistic community and the Mexican public. The National Institute of Fine Arts (INBA) continues to play and important role in the training of artists: in 1995, 17,466 students took basic, secondary, higher-secondary and higher courses in artistic subjects; and 508,500 children in the national education system were taught artistic subjects.

534. The creation of the National Centre for the Arts triggered the renovation and updating of the other arts schools; INBA is also giving increasing attention to the updating of curricula and programmes, the adoption of new methodologies of curriculum design, and the teaching of artistic subjects in general.

535. In addition, the National School of Anthropology and History and the National School of Restoration and Museum Sciences, which constitute the teaching system of the National Anthropology and History Institute (INAH), provided degree courses in 1995 for 1,853 students, as well as increasing the number of class hours and the volume of fieldwork.

536. The Cinematographic Training Centre is expanding its role as a source of new technicians and directors for the Mexican cinema and its work as promoter of the country's cinematographic culture.

Other measures taken for the conservation, development and diffusion of culture

537. The national system of creative workers represents a major effort and a determined response by the Mexican State to support the creative vocation of persons working in artistic fields for the benefit of Mexico and to provide them with more favourable working conditions. The system offers incentives to the country's intellectual creators, with two awards:

(a) Artistic creator. An award designed to encourage the creative work of artists who have produced top-quality works and whose talents enrich Mexico's cultural heritage;

(b) Creator emeritus. An award for persons who, in addition to creating artistic works, have made a significant contribution to the enrichment of Mexico's cultural legacy and have participated in the training of artists in the upcoming generations.

538. The programmes carried out by other agencies of the National Council for Culture and the Arts provide one-year grants for translation of works of literature, as well as for periodicals published independently or in conjunction with the National Institute of Fine Arts.

539. The national system for the production of cultural television programmes supports, through Channel 22 and the national network of educational and cultural broadcasts, the production of two cultural series: "Guerra e Imágenes: lucha entre Estados Unidos y México por sus documentos" (War and Images: struggle between the United States and Mexico according to the documents) and "Aventurera" (Adventuress).

Positive effects, difficulties and failures concerning the access of indigenous and other disadvantaged and particularly vulnerable groups to the country's cultural and artistic life

540. The first paragraph of article 4 of the Constitution recognizes that the Mexican nation has a multi-cultural composition based originally on its indigenous peoples, so that the law must act as an instrument to protect and promote the development of their languages, cultures, habits, customs, resources and specific forms of social organization.

541. CNCA encourages research designed to reach all Mexicans and ensure the proper conservation of their culture. Mexico is a plural country par excellence, and its culture is perceived as a vast mosaic of regional and local creations which must be preserved and enriched. However, the country still has regions and groups, particularly indigenous ones, with enormous deficits and backwardness with respect both to their access to cultural goods and services and to the lack of incentives for creative activity.

Legislative and other measures taken to realise the right of everyone to benefit from the protection of the moral and material interests resulting from any literary or artistic work of which he or she is the author

542. The Federal Copyright Act, which gives effect to article 28 of the Constitution, stipulates with respect to moral rights that the author is the "sole, original and perpetual holder" of such rights with respect to the works which he or she creates:

> "Article 20. Exercise of the moral right is vested in the creator of the work himself and in his heirs. If there are no heirs, or in the case of works in the public domain, anonymous works or works protected by Title VII of the present Act, the State shall exercise the rights in accordance with the following article, provided that in all cases the work is of benefit to the national cultural heritage.
>
> "The holder of a moral right may at any time:
>
> I. Decide whether his work is to be disseminated and in what form or whether it is to remain unpublished;
>
> II. Require the recognition of his status of author of the work created by him and the right to decide whether it should be disseminated anonymously or under a pseudonym;
>
> III. Require the prevention of any distortion, mutilation or other modification of the work, and of any action or attack against the work which calls it into disrepute or damages the reputation of its author;
>
> IV. To alter his work;
>
> V. To withdraw his work from sale or performance; and
>
> VI. To require that no work shall be attributed to the author which is not of his creation. Any person to whom a work is attributed which is not of his creation may exercise the right referred to in this paragraph."

543. With regard to the other rights of authorship, the Act provides that the author has the right of exclusive exploitation of his works or to authorise others to exploit them in any form "within the limits established by the present Act and without prejudice to the possession of the moral rights referred to in article 21 thereof":

> "Article 25. A copyright shall belong to the author, his heir or any person acquiring the copyright by any legal means.
>
> "Article 26. The author is the original holder of the copyright, and his heirs or beneficiaries under any entitlement shall be regarded as derived holders.
>
> "Article 27. The holders of a copyright may authorize or prohibit:

I. The reproduction, publication or material issue of a work in copies or examples by any means...

II. The public communication of his work...

III. The public transmission or broadcasting of his works...

IV. The distribution of his work, including its sale and other forms of transmission of ownership;

V. The import into the national territory of copies of the work produced without his authorization;

VI. The publication of derived works.

VII. Any public use of the work except in the cases expressly authorized in this Act."

544. On the protection of copyright the Act states:

"Article 77. The person whose known or registered name or pseudonym appears as the author of a work shall be regarded as such in the absence of proof to the contrary and, accordingly, the competent courts shall admit actions brought by such a person for violation of his rights

"With regard to pseudonymous works or works whose authors have not been made known, the right to bring proceedings to protect the copyright shall be vested in the person who makes the works public with the consent of their author, and such person shall discharge the responsibilities of an agent until such time as the holder of the rights appears in the proceedings in question, provided that there is no prior agreement to the contrary."

Practical measures aimed at the provision of the necessary conditions for literary and artistic activities, and the protection of intellectual property rights resulting from such activities

545. The Federal Copyright Act states that "the privileges accorded for a specific period to authors and artists for the protection of their works shall not be regarded as monopolies". Section II of article 4 of the Act provides that the works subject to protection may include anonymous works; thus the name, mark or signature which would identify the author need not be made known, either at the author's wish or because he cannot be identified for some reason.

Measures taken for the conservation, development and diffusion of culture, in particular measures at the constitutional level, within the national educational system and by means of the communication media

546. The Constitution states:

"Article 3. Every individual shall have the right to receive education. The State - Federation, states and municipalities - shall provide

preschool, primary and secondary education. Primary and secondary education shall be compulsory.

"The education provided by the State shall be designed to develop harmoniously all the faculties of the human being and promote in him or her both a love for their native land and an awareness of international solidarity, in independence and justice.

[...]

[II.] (a) Education shall be democratic, considering democracy not only as a legal structure and a political system but also as a way of life founded on constant economic, social and cultural betterment of the people;

(b) It shall be national, for - without hostility or exclusiveness- it shall facilitate the understanding of our problems, the use of our resources, the defence of our political independence, and the continuity and growth of our culture; and

[...]

"V. In addition to providing preschool, primary and secondary education, in accordance with the first paragraph, the State shall promote and maintain all types and modalities of education - including higher education - necessary for the development of the Nation, support scientific and technological research, and encourage the development and dissemination of our culture; [...]

"Article 4. The Mexican Nation has a multi-cultural composition based originally on its indigenous peoples, so that the law shall be an instrument for protecting and promoting their languages, cultures, habits, customs, resources, and specific forms of social organization;

[...]"

547. The Regulations of the Federal Act governing archaeological, artistic and historical monuments and sites are designed to conserve Mexico's cultural heritage through the creation and regulation of civil organizations, neighbourhood associations and local rural groups, which help in the following ways:

(a) Assisting the federal authorities in the care or preservation of a specific monument;

(b) Carrying out educational work among the members of the community concerning the importance of the conservation and development of Mexico's cultural heritage;

(c) Encouraging the public to visit the site or monument in question;

(d) Bringing to the attention of the authorities any exploration, work or activity which is not authorized by the corresponding institute; and

(e) Carrying out related activities authorized by the competent institute.

548. Article 2 of these Regulations states that "it is in the public interest to find, protect, conserve, restore and recover archaeological, artistic and historical monuments and monumental sites".

549. Local funds for culture and the arts have been established in all the federal states in order to contribute to regional cultural development in conjunction with the national coordination unit for cultural decentralization of the National Council for Culture and the Arts. This means that the operational arrangements of FONCA can be adapted to the characteristics of each locality, with a view to stimulating artistic and intellectual creation and encouraging the participation of private enterprise in state and regional cultural projects.

550. Under another component of the cultural promotion and dissemination programme, many specific funds have been created to provide support for proposals from civil society. These specific funds are intended to attract resources for various cultural projects, including individual creative projects, publicity for artistic events, preservation of archaeological sites and restoration of works of art.

Legal, administrative and judicial system designed to respect and protect the freedom indispensable for creative activity

551. The right protecting the activities of artists or any other citizens is embodied in article 5 of the Constitution of the United Mexican States, which establishes the freedom of every person to engage in the profession, industry, trade or work of his choice, provided it is lawful. Nobody may be prevented from exercising this right except pursuant to a judicial decision that the rights of a third person have been infringed, or pursuant to a governmental decision, taken in accordance with the law, when the rights of society have been infringed.

552. The Mexican legal system in this area consists of a series of laws and regulations guaranteeing the persons who make up the State, or are living in Mexico for some reason, enjoyment of the rights entitling them to engage in any kind of creative activity.

553. The Federal Code of Civil Procedure is a compendium of rules providing the necessary legal means for bringing an action against any person who impedes freedom of choice, including freedom of choice in creative activities. The Code establishes clearly that persons may intervene in judicial proceedings, and it specifies the obligations and responsibilities of the parties, the competent judicial authorities for dispute settlement, and the general rules under which the proceedings are to be conducted.

Measures taken to guarantee the freedom of exchange of cultural information, views and experience between writers, creative workers, artists and other creative individuals and their respective institutions

554. Attention may be drawn here to the support provided for the "Young Creators" fund, which has provided a new forum for exchange of aesthetic and

intellectual ideas at the "young creators' encounters" organized by FONCA three times a year in order to observe the progress of the projects for which grants have been awarded. These encounters provide support for the interdisciplinary work of the new generations of artists and intellectuals, with a view to the establishment of joint projects between creative workers in different disciplines. For example, at one encounter a group of writers, composers, choreographers, painters, sculptors and photographers, aged between 20 and 32, initiated a dialogue which has revealed the fecundity of multidisciplinary work and the enormous possibilities which its offers to contemporary art.

555. In addition, with funds provided by various CNCA agencies, FONCA is encouraging grant-holders to work with public and private institutions, with a view to giving due publicity to the fruit of these activities. The results have been obvious in all disciplines.

Grants awarded, 1989-1994

130 for producers of intellectual works
380 for young creative workers
205 for performers
39 for writers in indigenous languages
8 for palaeography
10 for literary translation
68 for artistic groups

Measures taken to support learned societies, professional associations, unions of workers and other organizations and institutions engaged in creative activities

556. It must first be pointed out that article 9 of the Constitution of the United Mexican States offers the following guarantee to all the inhabitants of the Republic: "The right to assemble or to associate peaceably for any lawful purpose cannot be restricted...". This guarantee is given effect by the Federal Labour Act, which provides in its article 354 for "... the freedom of association of workers and employers" in the defence of their common interests; and article 356 to 385 set out the conditions for the operation of trade unions, associations and other organizations of workers.

557. Every association or organization dedicated to creative activities has its own rules of procedure and constitution, which govern its operations; this is the case, for example, of the National Association of Actors (ANDA) and the National Association of Performers (ANDI).

Legislative and other measures by which the Government encourages and develops international contacts and cooperation in the cultural field

558. FONCA's activities are not limited to Mexico, for it has also sought international collaboration. Two of the measures taken in this connection are the creation of the Mexico-United States Trust for Culture and the programme for exchange of resident artists.

Trust for Culture

559. FONCA participates in conjunction with the Rockefeller Foundation and the Bancomer Cultural Foundation in the Trust for Culture, under the auspices of the Mexico-United States Commission on Education and Cultural Exchanges. This Trust has a specific annual budget, provided in equal shares by its three constituent institutions, for funding projects of common interest to Mexico and the United States. This programme has strengthened the cultural and artistic links between the two nations, in addition to providing a more fruitful relationship and contributing to the protection and promotion of the values underpinning their identities.

560. The Trust for Culture has a bilateral committee of experts to select the projects to be supported; this committee meets annually, alternately in each country, and has to date supported 276 exchange projects.

Programme for exchange of resident artists

561. Initially this undertaking was also established as part of international collaboration, with the participation of the United States National Endowment for the Arts, the Canada Council, and Mexico's National Fund for Culture and the Arts. At present, the Fund collaborates with the Canadian Ministry of Foreign Affairs and International Trade and the Banff Centre for the Arts, also located in Canada. Participation in the resident artists programme has also been offered to a number of countries interested in initiating bilateral projects with Mexico: Brazil, Spain, Colombia, the United Kingdom, Italy and the United States, amongst others.

562. This programme has an international selection panel which meets in each of the participating countries in turn; its purpose is to stimulate and support a broader and profounder knowledge of the culture of the nations involved. The resident artists programme seeks to secure a direct exchange of experience and thinking among creative workers, who are able, during two-month residences, to make real and daily contact with the cultural thinking and expression of the host country. Every year Mexico has exchanged through this programme an equal number of artists in various disciplines with the other participating countries.

563. A total of 142 artists have been involved in the programme since its inception in 1993: 63 from Mexico, 48 from the United States, and 31 from Canada.

Conventions, agreements and other regional and international instruments to which Mexico is a party in the cultural field

564. The North American Free Trade Agreement concluded by Mexico, Canada and the United States and published in the Diario Oficial de la Federación on 20 December 1993 entailed a reform of the Act giving effect to article 5 of the Constitution, concerning the exercise of professions in the Federal District, to allow foreigners to exercise the professions covered by the Act in accordance with the international treaties to which Mexico is a party; in the absence of a treaty, such exercise is limited by the conditions of reciprocity and the other requirements established by Mexican legislation.

565. Mexico has bilateral agreements with most other countries to facilitate cooperation and cultural exchanges:

(a) Collaboration agreements for the preservation and maintenance of archaeological sites with Belize, El Salvador, the United States, Guatemala and Peru;

(b) Scientific and technical cooperation agreements with 51 countries throughout the world;

(c) Agreements to facilitate joint cinema and audiovisual productions with Canada, Spain, Italy, Romania, Senegal and Venezuela;

(d) Agreements for the reciprocal protection of the works of their authors, composers and artists with Germany, Denmark and France;

(e) Agreements for the reciprocal protection of industrial property with Germany, Denmark, Spain and France;

(f) Agreements on the recertification of academic qualifications with the United Kingdom and Spain, together with a number of other agreements of more specific content having an impact on the cultural sphere but too numerous to mention individually.

Participation by writers, artists and other artistic workers in international cultural conferences, seminars, symposiums, etc.

566. In collaboration with other governmental bodies such as the Ministry of Foreign Affairs, CNCA is constantly supporting the participation of Mexican artists from the various branches of creative activity in numerous conferences, seminars, symposiums and exhibitions, and in many other cultural events at the international level.

Changes between 1992 and 1996 in national policies, laws and practices affecting the right of every person to participate in the country's cultural and artistic life

567. As mentioned earlier, a new Federal Copyright Act was adopted in 1996.

Factors and difficulties affecting the full realization of the right to participate in the country's cultural and artistic life

568. The centralization of Mexico's economic and cultural life used to be an obstacle to a full realization of the rights enshrined in article 15 of the Covenant. In recent years major efforts have been made to correct this situation both by the Federal Government and by the state and local authorities. However, despite the progress made, the goods and services provided by the public sector to encourage creativity and preserve and disseminate the historical and artistic heritage remain concentrated in the big towns, and even there it has been impossible to extend them to some groups of difficult access made up of people of indigenous and rural origin.

569. The objective of the present Government is to secure a genuinely national cultural development, which must be brought about by an expansion of the opportunities for community participation in the county's various areas and regions in accordance with their specific models of growth and social development. In the construction of a new federalism drawing strength from the deep and genuine roots of a form of political organization which emerged in Mexico as the most suitable means of achieving the unity of the Mexican people, culture helps to manifest the country's ethnic and social diversity and the realities, values and aspirations of its communities and regions.

Importance of cultural identity, especially for groups such as minorities, indigenous populations, immigrants and others whose cultural roots and traditions differ from those of the majority

570. Mexico's respect for and support of the habits, customs and lifestyles of minority groups, indigenous peoples and the immigrants who come to Mexico for various reasons enriches its own culture and provides an identity for the different groups which make up the nation. The preservation of that identity is very important for the maintenance of the Union and its objectives.

571. As already pointed out, the National Council for Culture and the Arts carries out research with a view to reaching all Mexicans and ensuring the proper preservation of their culture. Mexico is a plural country par excellence, and its culture is perceived as a vast mosaic of regional and local creations which must be preserved and enriched.

SCIENCE AND TECHNOLOGY

Legislative and other measures adopted between 1992 and 1996 to realize the right of everyone to enjoy the benefits of scientific progress and its applications, including those aimed at the conservation, development and diffusion of science

572. In the context of the severe economic constraints of recent years the Mexican Government has maintained its support for science and technology as an indispensable means of providing society with higher standards of living, for the acquisition and use of knowledge have become more important than reserves of natural resources for obtaining comparative advantages over other countries and for accumulating wealth. Accordingly, the Government's policy is to produce increasing numbers of qualified personnel to conduct basic and applied research to support the production, diffusion and use of technological innovations. It also seeks to combine public funds and private capital in scientific research and technological development, in accordance with the social demands and the objectives of decentralization in this area set out in the National Development Plan 1995-2000.

573. Resources for scientific research and technological development totalled 7,266 million pesos in 1995, an increase of 26 per cent over 1994. External loans and the resources of the Mexican Science Support Programme and the Research and Development Fund for Technological Modernization (FIDETEC) were used to consolidate scientific and technological activities, develop far-reaching multi-year projects, provide incentives for researchers, and promote scientific and technological decentralization, in which the universities and

research centres have played important roles. Attempts have also been made to consolidate a culture of technological modernization in enterprises, especially small and medium-sized ones, and to encourage closer links with the academic world.

Financial resources by administrative agency

Ministry of Public Education	62.3%
Ministry of Energy	22.2%
Ministries of Agriculture, Livestock and Rural Development, Health and Social Welfare, and Environment, Natural Resources and Fisheries	11.6%

574. In education the resources were used mainly for the training of top-level professionals and the strengthening of the institutions involved in the advance of knowledge.

575. In 1995, in order to encourage the contribution of public and private resources to fund these activities, several international organizations, foundations and private enterprises contributed 134.1 million pesos, to add to the more than 85 million dollars which the external relations sector received for these purposes. The main external sources of financing are the World Food Programme, the United Nations Fund for Population Activities, the World Health Organization, and the Pan-American Health Organization; contributions were also made by Germany, Spain, the United States, the United Kingdom and Japan. In addition, negotiations were begun with the World Bank for a loan of 300 million dollars.

576. A number of taxation and financial measures were introduced to encourage the technological modernization of industry: increase of the depreciation rate for intangible assets from 10 to 15 per cent; 50 per cent increase in the deduction for contributions to technological research and funds; 25 per cent deduction for investments in computer peripherals; and the granting of loans. Important among these loans was the one obtained by Nacional Financiera from an Italian Bank for 40 million dollars at preferential rates and for terms of up to eight years for the import of technology for use in the agro-industrial, electricity, textiles, and leather and footwear sectors, amongst others.

Measures taken in 1992-1996 to ensure the application of scientific progress for the benefit of everyone, including measures aimed at the preservation of mankind's natural heritage and at promoting a healthy and pure environment, and information on the institutional infrastructures established for that purpose

577. As part of its promotion of top-quality research the Federal Government supports scientific research and technological modernization projects which strengthen the links between the nation's research centres and production apparatus, facilitate the advance of knowledge, and increase the technological capacity to meet the people's demands for higher living standards. The projects supported also facilitate progress in the acquisition of know-how and provide incentives for leading researchers, as well as assisting enterprises wishing to increase their competitiveness.

578. Main projects carried out by the administrative sector in 1995

(a) Agriculture: research designed principally to improve seeds and encourage the use of land, water and forest resources in such a way as to diversify their output and increase their profitability. Animal health has been an important area of livestock research, addressing in particular the diagnosis and prevention of brucellosis, tuberculosis and leptospirosis; and models were produced for maintenance of the weight of cattle and combining grazing with food supplements;

(b) Communications and transport: research connected with experimental engineering, communications, electronics and information technology, design and construction of roads, port installations, vehicle loads, bridges and covered loading terminals, etc.

(c) Trade and industrial promotion: several technological development projects in metrology and intercomparisons between national and international laboratories, in order to ensure the compatibility of 108 measuring systems with those of developed countries;

(d) Education: projects promoted by the Independent University of Mexico (UNAM), the agencies of the National Science and Technology Council (CONACYT), and the National Polytechnic Institute (IPN) in connection with liquid polymer crystals and plastic films for use in agriculture, the design of prototypes of electronic scientific instruments, a statistical weights system for the National Metrology Centre (CENAM), control of the geostationary orbit of the Satex-I satellite, food packaging, integrated treatment of effluents of the leather and footwear industry, "cable-city" project to research and test metropolitan telecommunications, the large millimetric telescope project, and projects connected with solar energy, ecology, neurobiology, bio-engineering and seismic engineering, energy savings and efficient use of resources in the design and operation of installations, environment, natural resources, health, food, energy, educational research, and computers and information technology. Resources have been channelled through CONACYT to support 650 scientific and 16 technological projects, including projects authorized under the academic world/ business world link-up programme for the establishment of the UNAM competitiveness centre, in conjunction with the Ministry of Trade and Industrial Promotion (SECOFI) and the National Chamber of Industrial Processing (CANACINTRA), and the project of the Technological University of Aguascalientes on the establishment of a network of competitiveness-support centres. Attention must also be drawn to the project on the development of green technology for recycling extruded plastics proposed by Reciclados Industriales Ecológicos S.A. in Ciudad Victoria and supported by FIDETEC;

(e) Health and social security: projects to improve the cover and quality of services in the areas of nutrition, biochemistry, neurology, epidemiology, genetics and organ transplants, with resources contributed by the pharmaceutical industry and CONACYT;

(f) Seas and oceans: allocation of a million pesos for the implementation of eight projects, of which seven have been completed, connected with research on reef ecosystems and exploitation of marine resources, coastal watches to protect the ecological system and monitor meteorological variables,

periodic evaluation of the quality of the marine environment, and forecast of oceanographic and atmospheric phenomena constituting a potential hazard to the public. Hydrographic research has also been carried out with a view to the production of a topohydrographic survey in the Laguna de Términus in Ciudad del Carmen (Campeche);

(g) Environment, natural resources and fisheries: projects connected with forest health, rural and urban water supply, rural and urban technological developments affecting the environment, industrial processes and sustainable development, aquiculture, and evaluation and management of fishery resources;

(h) Energy: projects connected with engineering and technology, applied science, petrographic and hydrothermal studies of spoil samples and cores of exploration wells in geothermal fields in El Ceboruco (Nayarit) and Tres Vírgenes (Baja California Sur), studies to determine the possibilities of co-generation in retirable thermoelectric power stations, and assessment of the atmospheric pollution caused by gases discharged by Petróleos Mexicanos (PEMEX) and their effect on the corrosion of metals;

(i) Office of the Attorney General of the Republic: research on a specialized technical teaching model for use in initial training in the federal criminal investigation police force;

(j) Tourism: research connected with identification of local markets, establishment of a research system covering the main competitors of Mexico's tourist destinations, and creation of programmes to promote the country's tourist centres.

Measures taken to promote the diffusion of information on scientific progress

579. Modern information systems are required today to disseminate the advances in technological know-how and innovation which facilitate industrial development and to promote a culture of systematized information management to streamline decision-taking. Thus, the increasing use of information systems and telecommunications is having an impact on the various activities of the production, social and economic sectors.

Information systems promoted by the administrative sector

580. In communications and transport there are the DATA TREK programme (barcodes) and the on-line RED-UNAM service for the transmission and exchange of information among the country's academic and research institutions. In addition, the Centre for Information on Standardization of Communications has been put on a firm operational footing; this Centre provides advisory services on official Mexican standards (NOM), draft Mexican standards (NMX), and the main telecommunications standards established by national and international bodies.

581. In education the industrial information and documentation fund (INFOTEC) provided assistance for 398 enterprises, facilitating in particular developments in chemicals, petrochemicals, food production, pharmaceuticals and metallurgy. The national technological network (RTN) was also expanded from four to 25 regional units, facilitating links with other information networks and access to electronic data sheets and systems, and a laboratory for the development of the

RTN services was established; the first Spanish-language search facility was initiated on the Internet, and the data bank consultation service gave 660 expert opinions and 86 consultations; RTN also subscribes to seven users with installed terminals and to the NECOMEX, SIDABASE, DIRLAC and BIVE national data banks.

582. Among the activities of institutions in the SEP-CONACYT system, attention must be drawn to the production of electronic spreadsheets for the Internet, the updating of the geographical and statistical information system, the start-up of computerized libraries with compact discs which can be remote-accessed, bibliographic data bases, and two information centres.

583. UNAM has transmitted data to educational and research institutions through RED-UNAM; furthermore, in order to expand its service for the postgraduates whose work it coordinates, it established a distance-learning and on-line services programme (UNAM-EUA), which links a number of Mexican institutions with research centres in San Antonio, Texas; it coordinated various systems such as UNAM-DUREC, which contains information about legislation, VALLARTA and JUICE-DATA, which record the resolutions of the Supreme Court of Justice, and the ARIES system, which has information on more than 23,000 research projects; and it coordinated the information and documentation unit of the Centre for Technological Innovation, which offers advisory services to enterprises and research institutions.

584. In health a satellite telemedicine project has been initiated in order to facilitate the diagnosis and treatment of complicated medical problems requiring the attention of specialists; a computerized system has been developed to record research projects and ensure their proper monitoring; and information about the latest developments and practical applications in various specialist areas of medicine and about the national health campaigns has been transmitted via satellite to 336 receiving centres in Mexico and 11 abroad. This has established closer links in medical education with health professionals in the regions of Latin America and the Caribbean.

585. In the environment, natural resources and fisheries sector an agreement was signed with the National Statistics, Geography and Information Technology Institute (INEGI) for the transfer of technological information and provision of technical advice on geographical matters; the national aquatic health programme was coordinated with the national system for diagnosis and prevention of disease in aquatic organisms; the Fishery Operations Register and the National Fishery Register were combined; and a sectoral information committee was created, together with five committees on the use of Internet information services.

Measures taken to prevent the use of scientific and technical progress for purposes which are contrary to the enjoyment of all human rights

586. Mexico has no specific legislation prohibiting the use of scientific and technical progress for purposes contrary thereto. Respect for the person and personal freedoms is a principle of its domestic law, as stated in the articles of the Constitution concerning individual guarantees.

587. Furthermore, as pointed out in the preceding report, in 1990 the Federal Executive created the National Commission on Human Rights, which is responsible

for ensuring respect for human rights. Similar institutions have been created in every state of the Republic.

Legislative and other measures taken to realize the right of everyone to benefit from the protection of the moral and material interests resulting from any scientific work

588. The Industrial Property Act protects the moral and material interests resulting from a scientific work, if the work was patented as an invention or registered as an industrial model or industrial design in accordance with the various procedures established in the Act.

589. In addition, the Federal Copyright Act protects such moral and material interests if the scientific work was published in a book or in any other printed medium which established its authorship.

Measures taken for the conservation, development and diffusion of science

590. In order to upgrade the training of human resources for science and technology, 24,845 grants were awarded in 1995 through various agencies to support young Mexicans doing postgraduate work in Mexico and abroad; this figure represented an increase of 30.4 per cent over 1994. Attention should be drawn to the contribution of the agriculture, education and health sectors to this work, for they accounted for 94.8 per cent of the total. The institutions showing the biggest increases in their grants were the National Science and Technology Council (CONACYT) and the National Polytechnic Institute (IPN). Of the grants awarded in 1995, 83 per cent were for postgraduate work in Mexico and the remaining 17 per cent for study abroad.

591. In order to increase the incomes of researchers, enhance the quality of their teaching and research, and raise their productivity, as well as to facilitate the creation of new groups of scientists and technologists, in 1995 CONACYT assisted 5,868 members of the national system of research workers (SIN). The slight decline over 1994 of 11 SIN researchers was due to a drop in the number of candidates for the post of national researcher, which was offset by an increase in the number of researchers at the other three levels. Nevertheless, CONACYT allocated 234.8 million pesos to SIN, 14 per cent more than in 1994.

592. In addition, the funds for the promotion of academic excellence and retention and repatriation of Mexican researchers helped to improve the merit and quality of the work of the country's researchers and academics. The academic excellence fund provided 26.3 million pesos to establish 243 chairs; and the repatriation fund provided 15.5 million pesos to bring 174 researchers back to Mexico, most of them to work in the Independent University of Mexico (UNAM), the University of Guadalajara, the Institute of Electrical Research, and the National Astrophysics, Optical and Electronics Institute, principally in areas connected with the applied, natural and exact sciences. In 1995, in recognition of scientific excellence, the Academy of Scientific Research awarded six prizes to members of the Academy: two to distinguished researchers in the exact sciences, two in the social sciences, one in natural sciences, and one in scientific research.

593. In order to consolidate the move towards scientific and technological decentralization, greater use was made of the potential of each region and closer links were established between universities, businesses and research institutions. CONACYT proceeded with the establishment of regional research systems to support multidisciplinary and interinstitutional projects in the interior of the Republic.

594. The National Teacher-Training University (UPN) delegated to its provincial units the power to formulate curricula and programmes, which will be assessed and revised by the Ajusco unit. IPN started up the first technological innovation and development centre in Ciudad Madero (Tamaulipas), to provide advice, technical assistance, and the latest technological information and know-how; through the Mérida, Irapuato and Saltillo units of its Centre for Research and Advance Studies (CINVESTAV) IPN supported regional research on marine resources, plant biology and metallurgical engineering.

595. It also transformed the Semiconductor Technology Centre in Guadalajara into an academic unit offering postgraduate courses in electrical engineering; in collaboration with the Independent University of Tlaxcala it initiated research on aspects of reproductive biology and collaborated with the Independent University of Querétero on the start-up of an advanced materials laboratory.

596. The institutions of the SEP-CONACYT system expanded their activities in the interior of the Republic by establishing new research groups and lines of research; they provided integrated services for the production sector and opened service units and windows in Culiacán (Aguascalientes) and the Quintana Roo offices of the Centre for Food Research and Development (CIAD) of the Colegio de la Frontera Sur and the Centre for Technical Research and Assistance of the State of Querétaro (CIATEQ); in Guadalajara City they opened an office of the Technological Research and Advice Centre for the Leather and Footwear Industry; and it established under CIATEQ a metallurgy laboratory in the Benardo Quintana industrial park in Querétaro.

597. In order to strengthen environmental management, the Ministry of Environment, Natural Resources and Fisheries stepped up its activities under the Mexico and northern frontier environmental programmes, and through the Mexican Institute of Water Technology (INTA) it set up a laboratory in the unit in Jiutepec (Morelos). The purpose of this move was to develop, adapt and transfer technologies, validate research, and carry out activities connected with the standardization and certification of water products and services. Five training centres were also established, in the States of Nuevo León, México, Morelos, Veracruz and Yucatán.

598. The energy sector produced a study on the decentralization of 80 per cent of its technical services in four regions: North, with headquarters in Poza Rica (Veracruz); South, in Villahermosa (Tabasco); Ocean, in Ciudad del Carmen (Campeche); and Central, in Mexico City. And the health sector set up epidemiological research units in the States of Chihuahua, Jalisco and Nuevo León. It also concluded 34 collaboration agreements with state universities and with UNAM and CINVESTAV to promote top-quality academic training in nutrition, biomedicine, epidemiology, clinical work and health services.

599. Scientific research and updating of technological know-how require the permanent modernization of the physical infrastructure of research work, for sophisticated knowledge and its many different applications can be developed only if laboratories, equipment, instruments and inputs are available to keep pace with major international advances. In this connection, support was provided in 1995 for the construction and equipment of 152 facilities to promote Mexico's scientific and technological progress, and conservation and maintenance services were provided for 426 sites suitable for such activities.

Main measures connected with scientific and technological infrastructure

600. Improvements were made in the agricultural sector through the provision of equipment for laboratories, greenhouses, meteorological stations and mobile irrigation systems, and through the research conducted at the experimental plots in Coahuila, Durango, Morelos, Nuevo León, Oaxaca, San Luis Potosí, Veracruz and Zacatecas. This facilitated more detailed research on oleaginous and dry-climate plants, livestock, fruit trees, basic crops, parasitology, etc.

601. Improvements were made in the communications and transport sector with the provision of equipment for standards and calibration laboratories, terminal and testing equipment, and radiation and acoustic propagation, and of infrastructure for the network and teleinformatics switching laboratory to facilitate analysis of local area network (LAN) and wide area network (WAN) systems.

602. The equipment programme in the trade and industrial promotion sector facilitated the establishment of standardization and quality control services and the consolidation of primary standards and data processing transfer systems, and high-precision measurement systems, for which 143 laboratories were available.

603. In the environment, natural resources and fisheries sector a laboratory was installed and official authorization was received for 56 tests in various modules of the hydraulics testing laboratory; and the first phase of the project to establish a national environmental research and training centre was completed, with the support of the Japanese International Cooperation Agency.

604. In the health sector plans were implemented for the biological monitoring of water, mobile drinking water plants, and cardiac monitoring and electro-cardiographs systems. The equipment of the National Institute of Cardiology and Public Health and the Mexican Institute of Psychiatry was also modernized.

605. In the education sector CONACYT approved, through the fund for the consolidation of scientific and technological infrastructure, 14 projects with a total cost of 157.9 million pesos. These funds were distributed in the following proportions: 64 per cent for exact sciences, 14 per cent for applied sciences, 7 per cent for natural sciences, 5 per cent for health sciences, 4 per cent for social sciences, 4 per cent for behavioural sciences, and 2 per cent for earth sciences. Attention must also be drawn to the construction of the UNAM campus at Juriquilla (Querétaro), which will help to establish groups of academic excellence and enhance multidisciplinary research. In addition, the Instruments Centre and the Institute of Engineering provided equipment for the Museo Universum and materials for the UNAM-SAT microsatellite.

606. The National Anthropology and History Institute (INAH) received a donation of geophysical prospecting equipment from the Government of Japan and provided maintenance for 164 archaeological sites and historical monuments. The National Polytechnic Institute allocated 45.6 million pesos for the construction of 243 units for postgraduate scientific and technological training. UNAM allocated 245,000 pesos to strengthen the infrastructure of the plant and mastozoological collections at the Iztapalapa unit, with contributions from Nacional Financiera, the National Credit Corporation, and the Commission and National Fund for the Study and Use of Biodiversity.

607. Important developments in the SEP-CONACYT system included the purchase of an X-ray diffractometer and an electron scanning microscope, the expansion of a polymer pilot plant, the completion of a plant to treat sewage and soapy water, the construction of an aquiculture laboratory, the purchase of chromatography, spectometry and electronic microscopy equipment, the establishment of an electrochemical laboratory, and the purchase of scientific equipment and furnishings for mathematics and optical fibre laboratories.

608. In the energy sector a laboratory was established for testing equipment and materials for a real time simulator of advanced synchronous machines; development work was continued on an electronic interface; a radioisotope production laboratory was remodelled; the tank of the Triga reactor was repaired; the molecular genetics laboratory was remodelled; and a prototype of a machine for destroying wastes by thermic plasma was designed. Sophisticated technical equipment was also acquired for petroleum laboratories and workshops, and an institutional optical fibre network was established.

609. In the maritime sector laboratory equipment and instruments were procured, together with computer hardware, and the meteorological equipment installed on five oceanographic vessels was calibrated. This facilitated the research of the Gulf and Caribbean Oceanographic Research Institutes and of five oceanographic stations located in various coastal towns. A tide gauge was installed at Puerto Balleto (Nayarit), together with two fixed coastal meteorological stations at Tampico (Tamaulipas) and Chetumal (Quintana Roo), and a meteorological forecasting centre in Mexico City for collection of satellite data for forecasting the weather in coastal areas.

Legal, administrative and judicial system designed to respect and protect the freedom indispensable for scientific research

610. The information contained in the section of this report on the freedom of cultural creativity applies equally to scientific research.

Measures taken to guarantee the freedom of exchange of scientific, technical and cultural information, views and experience between scientists

611. The information contained in the section of this report on the freedom of cultural exchanges applies equally to scientific exchanges between researchers.

Measures taken to support the establishment of academies of science, professional associations, unions of workers and other organizations and institutions engaged in scientific research

612. The information contained in the section of this report on the freedom to form cultural associations applies equally to science and technology.

Legislative and other measures for encouragement of international contacts and cooperation in the scientific field; regional and international conventions, agreements and other instruments to which Mexico is a party

613. Technical and scientific cooperation helps Mexico to close the technology gap with its main foreign trading partners and to integrate itself in the global economy with greater opportunities of development. In these matters Mexico remains a major recipient as well as expanding its contribution as a donor. This dual role allows Mexico to request assistance from more developed countries and international organizations for projects to be implemented by Mexico, to offer assistance to relatively less developed countries, and to carry out horizontal programmes with countries of a similar level of development. Mexico received a little over 85 million dollars in 1995 to fund 370 technical cooperation projects. In the period covered by this report 611 cooperation agreements were concluded, 434 of them bilateral and 177 multilateral.

614. A number of international cooperation agreements remained in force in the agriculture and livestock sector, including the one with Midamerica International Agriculture Consortium for the holding of courses and workshops, award of qualifications, teacher exchanges and information transfers. There were also 27 international agreements in operation, including 13 signed with research centres, eight with governmental bodies, four with colleges and universities, and two with agricultural enterprises. The agreements signed with the International Potato Research and Development Centre, the Agro-forestry Research Centre, and the French Scientific Research Institute also deserve mention.

615. In the communications and transport sector collaboration on transport matters was continued with Cray Research of Mexico, the Massachusetts Institute of Technology, and the Texas Transport Institute, amongst others; work was done in conjunction with the NASA Jet Propulsion Laboratory, Brazil's National Space Research Institute, and Spain's National Aerospace Technology Institute, mainly on aspects of communications.

616. The trade and industrial promotion sector was involved in regional agreements on metrology and acted as chairman of meetings held in connection with the agreements for cooperation on metrology in the Americas and in the inter-American metrology system, with the support of the Organization of American States (OAS).

617. Important measures in education were the agreements concluded by CONACYT on joint projects, exchange of information, holding of academic meetings, and support for the training of top-level professionals. The main bodies with which agreements were negotiated were the Organization for Economic Cooperation and Development, the Asia-Pacific Cooperation Mechanism, OAS, the Ibero-American programme on science and technology for development, and the Instituto

Interamericano de Cambio Global. Most of the cooperation in this area was with the Governments of Germany, Canada, Cuba, France, Japan, Spain and the United States.

618. The National Polytechnic Institute joined the Latin American academic training programme in order to encourage cooperation with institutes of higher education in Latin America and Europe.

619. Important agreements concluded by the Independent University of Mexico (UNAM) included those with the University of Oriente, Cuba, and the University of Ghent, Belgium, and with the Governments of the United States, the United Kingdom, France and Japan for programmes on the environment, production processes, and health.

620. In conjunction with the National Science Foundation, NASA, and the Department of Energy of the United States, UNAM produced a study on new forms of scientific and technological cooperation between the United States and Latin America, which found that the conditions exist for cooperation in earth sciences, engineering, biology, physics, new materials, and astronomy.

621. In the health sector, agreements were concluded with Belgium, the United States and France on the following activities: studies on the effects of lipoprotein on myocardial infarction, work with the gynaecology and obstetrics laboratory at Yale University on the aetiopathological aspects of the premature rupture of membranes, and a study to be carried out in conjunction with the University of Liège, Belgium, on the mechanisms of pulmonary damage caused by ozone and parathion.

622. Under the Mexico-United Kingdom technical training programme for the environment, natural resources and fisheries sector, three agreements on environmental projects were implemented, and a North American workshop was held on monitoring for the ecological assessment of terrestrial and aquatic ecosystems, with a view to exchange of information on environmental monitoring technology.

623. In the maritime sector, agreements were concluded with the University of Texas for the collection of hydrographic data in the Gulf of Mexico and Caribbean Sea, and with the National Oceanic and Atmospheric Administration on the Pacific tsunami warning system.

624. The governmental sector maintained close collaboration with the Japanese International Cooperation Agency and signed an interinstitutional agreement with the United States Geological Survey and the National Disaster Prevention Centre on earth sciences and cartography; and cooperation activities were carried out with the Government of Guatemala on disaster prevention in the area of the Tacaná volcano and on hydrometeorological phenomena along the border between the two countries.

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